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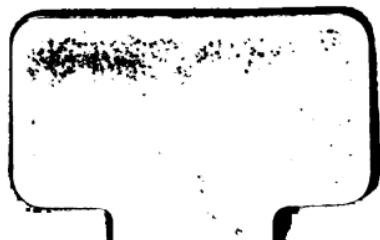
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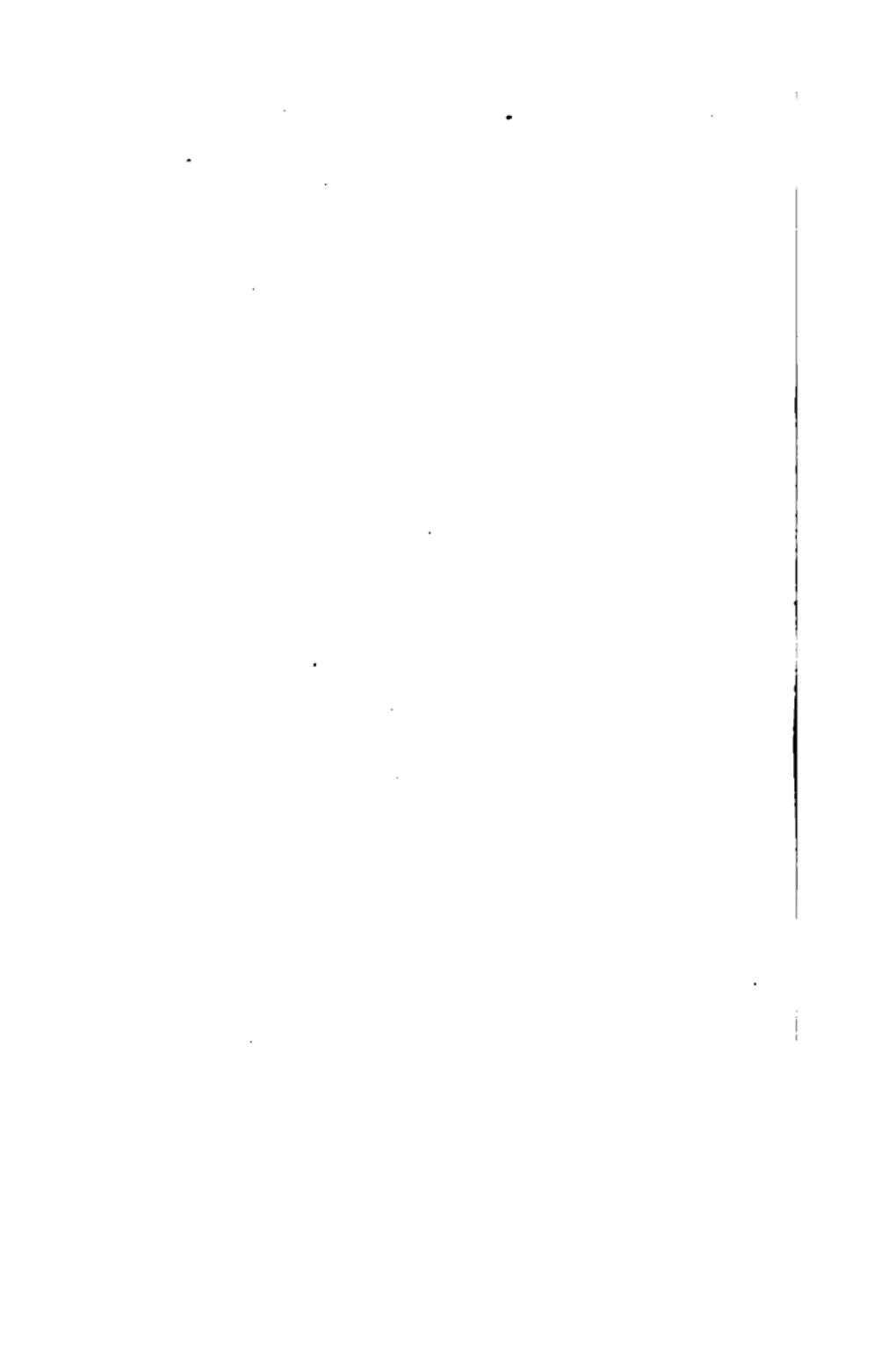


1840.

105.







THE
H A N D - B O O K ;
OF
TRADE AND COMMERCE ;
OR, A
CONCISE DICTIONARY
OF THE TERMS AND PRINCIPLES OF
TRADE, COMMERCE, MANUFACTURES, COMMERCIAL
AND COMMON LAW, ETC. ETC.
WITH TABLES OF MONEY, WEIGHTS, AND MEASURES.

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P R E F A C E .

PORTABLE volumes—books of simple and immediate reference—are of all works the most useful; especially to those with whom “time is money.” And of such are the manufacturing, commercial, and trading classes of this country—a vast multitude—exclusively composed. Men of business, engaged in their daily pursuits, have not time to consult and toil through huge tomes: what they mostly want is wanted at the moment. In the shop, the warehouse, the counting-house, scarcely a day can pass in which some question of interest, and often of importance, does not present itself. To ask or answer questions, to solve difficulties, to impart or receive information, demands a sacrifice of time; and as voluminous works can be studied only at leisure, opportunities for acquiring knowledge are frequently lost for want of facile access to its source.

In a painful consciousness of these truths originated the idea of this little “HAND-BOOK” for the merchant, banker, tradesman, and shopkeeper of every class—a volume equally suited for the counter, the desk, or the pocket. *Utility* being the editor’s *chief* object, his pretensions to

PREFACE.

novelty or originality of matter are slight : liberally, but never he trusts injuriously, profiting by the labours of others, his claim for credit must rest upon his judgment in selection, condensation, and arrangement—in bringing into a focus, as it were, an immense quantity and variety of readily available information.

Ease and simplicity of reference being essential, this volume is constructed upon the principle of a *single alphabet*, the same as a *Dictionary* ; consequently, instead of being *divided* into *parts*, which inevitably tantalise and distract the attention of a reader, it forms *one compact WHOLE*, presenting *at once* the information required under any particular head. An *Index* in itself, and for itself, an appended “*INDEX*,” or “*TABLE OF CONTENTS*,” would be only a superfluous incumbrance.

Amidst an extensive vocabulary, it may not be amiss, by way of illustration, to indicate a few of the most prominent subjects. For instance :—*Banks and Banking* ; *Bankruptcy and Insolvency* ; *Bills of Exchange* ; *Cigars* ; *Coffee and Tea* ; *Coins* of all countries ; *Colonies* ; *Customs* ; *Ejectment*, and *Landlord and Tenant* ; *Executors and Wills* ; *Funds*, British and Foreign ; *Insurance*, Life, House, and Marine ; *Interest and Annuities* ; *Hawkers and Pedlars* ; *Juries and Witnesses* ; *Postage*, with all its regulations under the new system ; *Parcels Delivery Company* ; *Police* ; *Pawnbrokers* ; *Porters* ; *Spirits* ; *Tobacco, Snuff, and Cigars* ; *Warehousing* ; *Wine* ; *Wrecks*, &c.

That, in a work so multifarious, there should be no errors, would be too much to expect ; but, as neither search nor labour has been spared in its production, it is confidently hoped that they may be found few and unimportant.

THE
MERCHANT'S AND TRADESMAN'S
HAND - BOOK.

ABANDONMENT. This is a term employed, in commerce and navigation, to express the abandoning or surrendering a ship, or goods, insured to the insurer. The right to abandon, and to compel the insurer to pay the whole value of the thing insured, involves many points, for the settlement of which Mr. Serjeant Marshall's work on the Law of Insurance (book i. cap. 13), and that of Mr. Justice Park (cap. 9), may be consulted.

ABATEMENT. The term abatement, or rebate, is occasionally applied to a discount for prompt payment, or to express the deduction which is sometimes made at the custom-house from duties chargeable upon damaged goods. From the duties on senna, sarsaparilla, coccus indicus, Guinea grains, cantharides, jalap, ipecacuanha, opium, nux vomica, rhubarb, wine, tobacco, oranges, lemons, raisins, currants, figs, coffee, &c., no abatement is made, Vide 6 Geo. 4, c. 107, § 28.

ACIDS. The acids of most importance in a commercial point of view are the acetic, muriatic or hydrochloric, nitric, sulphuric, and tartaric.

ACRE. The imperial standard English acre contains

four rods of forty poles or perches each, and each pole containing $272\frac{1}{4}$ square feet. Thus, an acre presents a surface of 43,560 square feet. The French acre (*arpent*) is equal to 54,450 English square feet. The English acre is to the Scottish as 78,694 to 100,000. One Welsh acre is generally equal to two English acres. The Irish acre exceeds the English by two rods, $10\frac{3}{4}$ perches. The United States of America measure by the English standard acre.

ACTION. This is a general term for the various processes or forms of suit adopted for the recovery of presumed rights, of which there are at least eleven different kinds :—1. Action on the Case ; a suit brought against any one for an offence committed without force, and not specially provided for by law.—2. Civil Action ; a process adopted for the recovery of that which is due by contract or otherwise, as money lent, &c.—3. Real Action ; the mode of claiming lands, tenements, rents, or commons.—4. Personal Action ; the form by which a plaintiff claims debts or other goods and chattels, or compensation for damage done to them or the person.—5. Mixed Action ; when the subject of the suit is partly real and partly personal ; and is given by the law for the recovery of the thing demanded, and damages for wrongs done.—6. Penal Action ; a form which aims at the punishment of the party sued, by fine or corporal infliction.—7. Popular, or Qui Tam, Action ; an action brought by a common informer, the prosecutor declaring that he prosecutes as well for our sovereign lord the king (or queen) as for himself. When information is given of offences committed against penal acts of parliament, the informer is usually entitled to one moiety of the penalty, while the other goes to the crown ; and this gives the informer a right to sue the party offending for his share of the penalty. 8. Prejudicial or preparatory action ; an action which arises from some doubt on the part of the principal. 9. Action of Writ ; a counter-action, by which a defendant endeavours to show that the plaintiff had no right to the writ issued. 10. Action upon the statute ; an action for an offence made so

by statute. 11. Action Auncestral; an action on a right claimed from an ancestor.

ACTION, APPEARANCE TO. When a defendant is served with a copy of, or arrested on, any process out of the courts of Westminster, he files common or special bail; which is called "entering an appearance," and which gives him eight clear days.

ADVANCE. Amongst merchants, it is usual for the consignee to advance from a half to two-thirds of the value of a consignment, on receiving the invoice or bill of lading.

ADVENTURE. Any speculation in goods sent to a foreign market, under the care of a supercargo, with general instructions for him to dispose of them to the best advantage, is termed an "adventure."

ADVENTURE, BILL OF. This is an acknowledgment that certain goods which have been shipped in one merchant's name belong to another, with an obligation to account to the real owner for his share in the "adventure."

ADVERTISEMENT. In a commercial view, this term relates to specific intimations respecting the sale of articles, the formation and dissolution of partnerships, bankruptcies, meetings of creditors, &c. The duty charged upon every advertisement, long or short, inserted in the London Gazette, or in any newspaper, or literary work published in parts or numbers, is 1s. 6d.

ADVICE. A "Letter of Advice" is generally given by one merchant or banker to another, apprising him of the bills or drafts which he may have drawn on him, with particulars of date, or sight, the amount, to whom made payable, &c. In the absence of such letters, bills are frequently dishonoured, "for want of advice."

AGENT. An agent, or factor, is a person employed by an individual, or by a plurality of parties, to transact business, whether at home or abroad, on his or their account. An agent or factor is generally paid by a per centage or commission on the goods he buys or sells. For copious information respecting the powers and liabilities of agents, or factors, *vide Chitty's Commercial Law*, vol. iii. c. 3; *Woolrych on Commercial Law*, p. 317,

et seq.; Beawes's Lex Mercatoria, article "Factors, Supercargoes," &c.

AGIO. A term denoting the difference in value between current and standard money, or between metallic and paper money. Poor states are often compelled to use the clipped and abraded coins of other countries. Hence, when banks were established at Venice, Amsterdam, &c., which bound themselves to make all payments according to some standard value, their money was readily received at a premium equivalent to this deterioration. This premium is called *the agio of the bank*. The term *agio* is also applied to the premium which an individual, entitled to receive payment of a debt in only one particular kind of metal, will sometimes give to be paid in another which is more convenient for him.

AHM. Sometimes spelt Aam, or Aum, is a measure in use for liquids at Hamburgh, Frankfort, Amsterdam, Antwerp, &c. At Hamburgh, it is equal to about $38\frac{1}{4}$ English wine gallons, previously to the adoption of the imperial measure; at Frankfort, to 39 gallons; at Amsterdam, to 41; and at Antwerp, to $36\frac{1}{2}$ gallons.

ALCOHOL. The pure spirit which is obtained by distillation, and subsequent rectification, from all liquors that have undergone the vinous fermentation, but from none but such as are susceptible of that fermentation.

ALE. Ale and Beer, amongst the most ancient fermented liquors known, are extracted from several sorts of grain, but chiefly from barley, after it has undergone the process termed malting. Herodotus tells us, that, owing to the want of wine, the Egyptians drank a liquor fermented from barley. Ale, or beer, was anciently introduced into Greece and Italy; it was in general use in Germany, in the time of Tacitus; the Saxons and Danes were passionately fond of beer, the drinking of which was supposed to form one of the principal enjoyments of the heroes admitted to the hall of Odin; and, consequently, its manufacture was at an early period introduced into England. It is mentioned in the laws of Ina, king of Wessex, and is particularised amongst the liquors pro-

vided for a royal banquet in the reign of Edward the Confessor. The use of hops, in the brewing of ale and beer, is believed to have been a German invention, but not introduced into England until the commencement of the sixteenth century. From the erroneous notion that hops possessed deleterious properties, Henry VIII., in 1530, enjoined brewers not to use them; yet, in 1552, hop plantations had begun to be formed. Dr. Thomson, in his article on brewing, in the Supplement to the Encyclopædia Britannica, thus describes the differences between ale and beer: "Ale is light-coloured, brisk, and sweetish, or at least free from bitter; while beer is dark-coloured, bitter, and much less brisk. What is called *porter* in England is a species of beer; and the term 'porter' at present signifies what was formerly called *strong beer*. The original difference between ale and beer was owing to the malt from which they were prepared. Ale malt was dried at a very low heat, and consequently was of a pale colour; while beer or porter malt was dried at a higher temperature, and had of consequence acquired a brown colour. This incipient charring had developed a peculiar and agreeable bitter taste, which was communicated to the beer along with the dark colour. This bitter taste rendered beer more agreeable to the palate, and less injurious to the constitution than ale." When malt became high-priced, in consequence of the heavy taxes laid on it, and the great increase in the price of barley which took place during the war of the French revolution, the brewers discovered that a greater quantity of wort could be prepared from pale than from brown malt. A considerable proportion of pale malt was in consequence substituted for brown malt, in the brewing of porter and beer. The wort then became paler, and was deficient in the customary bitter flavour. To remedy the defects of colour, various contrivances were resorted to; and to supply the place of the agreeable bitter communicated by the use of hops and brown malt, quassia, coccus indicus, and even opium, are believed to have been employed. Previously to the year 1823, only two sorts of beer were

allowed to be brewed in England: *strong beer*, of the value of 16s. and upwards the barrel, exclusive of the duty; and *small beer*, of the value of less than 16s. the barrel, exclusive of the duty. In 1823, however, an act was passed authorizing the brewing, under certain conditions, of an *intermediate beer*. This intermediate beer was not encouraged; at a subsequent period, the duties upon ale and beer were repealed; and now, they may be brewed of any degree of strength. The exportation of ale, beer, &c. is now regulated by act 1 Will. 4, cap. 51, s. 11; and the sale of those articles by retail in England is regulated by act 1 Will. 4, c. 64, and by an act of 1834, 4 and 5 Will. 4, c. 85. By the former, the commissioners of excise, &c. were bound to grant licenses, costing £2 2s. a year, to all persons not excepted in the act, empowering them to sell ale, beer, porter, cider, &c. to be drunk either on or off the premises; but, by the latter, the obtaining of a license to retail beer to be drunk on the premises, is made contingent on the applicant being able to produce a certificate of good character, subscribed by certain persons rated to a certain amount to the poor. The act of 1834 also raised the cost of such license to £3 3s.; and reduced the cost of a license to sell beer not to be drunk on the premises to £1 1s.

ALIENS. All individuals not owing allegiance to the crown of England are aliens, or foreigners. Aliens, however, may be naturalized by act of parliament, which puts them in the same condition as natural-born subjects, except that they are incapable of being members of the Privy Council, of serving in parliament, or of holding any office of trust under the crown. Aliens may also be naturalized by serving on board any of her Majesty's ships of war, in time of war, for three years; or, if a proclamation have been issued to that effect, for two years. The most recent regulations respecting the arrival and residence of aliens in this country will be found in the act 6 Will. 4, cap. 11.

ALLOCATION. An allowance made on an account in the Exchequer.

ALLOWANCE. In the sale of goods, or in the payment

of duties on them, certain allowances or deductions are made from their weights, under the denominations of Draft, Tare, Tret, and Cloff, or Clough. *Draft* is deduction from the gross weight. *Tare* is an allowance for the weight of the box, &c. in which goods are packed. *Tret* is a deduction of 4 lbs. from every 104 lbs. suttle, or nett, weight. *Cloff* is another allowance, nearly obsolete, of 2 lbs. from every 3 cwt. after tret has been subtracted.

ALUM. A salt extensively used in the arts. The best is the Roman alum, made near Civita Vecchia; then, the Levant or Roche alum, anciently manufactured at Rocha, or Edessa, in Syria. The English alum is inferior in quality to either of those.

AMICUS CURIAE. A counsel (or by-stander) who may happen to inform the judge on a point of law, &c. on which he is doubtful or mistaken, is termed *amicus curiae*, or a friend of the court.

ANCHORAGE. A ground for ships to cast anchor in; also, a duty levied on ships for the use of the harbour or port.

ANKER. A Dutch liquid measure containing about 10½ gallons English wine measure.

ANNOTTO. A red dye made from the pulp enveloping the seeds of the *bixa orellana*, a plant obtained chiefly from South America. To impart a beautiful tint to their chocolate, the Spanish Americans mix annotto with it.

ANNUITIES. See *Funds, Insurance, &c.*

ANTHRACTITE. Or stone coal, burns without smell or smoke, it is therefore used for Dr. Arnott's stoves. It is extensively used in America, and is employed in South Wales for the smelting of iron, &c.

ANTIMONY. The antimony of commerce is a brittle metal, of a greyish white colour. The best is imported from Trieste. It is used in medicine, and the regulus for hardening the metal used for printing types, stereotype metal, Britannia metal, music plates, &c.

APPEAL. This term is used in two senses. 1. It signifies the removal of a cause from an inferior court or

judge to a superior. 2. In a criminal prosecution, it denotes an accusation by one private subject against another for some heinous crime, demanding punishment on account of the particular injury sustained.

APPRENTICE. A statute passed in the 5th year of the reign of Elizabeth enacted, that no person should for the future exercise any trade, craft, or mystery in England, unless he had previously served to it an apprenticeship of seven years at least; so that what had formerly been a by-law of a few corporations, became the general and statute law of the kingdom. This absurd and injurious enactment was repealed by an act of the 54th George 3, c. 90. The repeal did not interfere with any of the existing rights, privileges, or by-laws of the different corporations; but whenever these do not interpose, the formation and duration of apprenticeships are left to be adjusted by the parties concerned.

AQUAFORTIS. See *Nitric Acid*.

ARBITRATION. A mode of deciding matters in difference between parties, by the mediation and award of a third person, in order to avoid legal expenses. Matters of account are generally referred by the courts of law to the arbitration of a counsel at the bar, whose award is made final.

ARREST. A restraint of a man's person, obliging him to be obedient to the law. It may be used in either a civil or a criminal sense.

ARREST OF JUDGMENT. To move in "arrest of judgment" is to show cause why judgment should be stayed, notwithstanding the verdict.

ASPHALTUM. A native bitumen, or mineral pitch, taking its name from the lake Asphaltites. It is found in the Dead Sea, China, Trinidad, &c. Of late years it has been used in a preparation for pavements and other purposes.

ASSAYING. A process by which the quality of gold and silver bullion, plate, coin, &c. is ascertained.

ASSETS. The stock in trade, and goods of all sorts, belonging to and liable for the debts of any individual, or

company. Also the real and personal property of a party deceased.

ASSIENTO. A contract by which Spain ceded to a company of French and then to a company of British merchants, the right of slave importation into the Spanish colonies.

ASSIGNEE. A term generally applied to the party or parties appointed by the creditors to manage a bankrupt's estate for the general advantage.

ASSIZE. According to the ancient law books, an assize is an assembly of knights, and other substantial men, with the justice, in a certain place, and at a certain time appointed. But the word assize is now generally understood to mean the periodical sittings of the king's or queen's courts, in which prisoners are tried and civil suits determined.

ASSUMPSIT. A voluntary promise, by which a man assumes or takes upon himself to perform or pay any thing to another. In every action upon assumpsit, there ought to be a consideration, promise, and breach of promise.

ASSURANCE. (See *Insurance*.)

ATTACHMENT. A process from a court of record, awarded by the justices at their discretion, on a bare suggestion, or on their own knowledge; and it is granted in cases of contempt, against which all courts of record may proceed in a summary manner.

AUCTION. A public sale of goods to the highest bidder. Such sales ought to be advertised previously in the public papers; and the highest bidder is always understood to be the party who must have the lot knocked down to him. Any bidder at an auction may retract his offer before the fall of the hammer, but not after. In London, what are termed "mock auctions," are frequently established by swindlers. Persons, termed *barkers*, are frequently stationed at the doors to invite parties in; and *puffers* are in attendance to "bid up" the article much beyond its value. At these places, purchasers are invariably cheated.

AUCTIONEER. A person who conducts sales by auc-

tion. Auctioneers must take out an annual license on or before the 5th of July ; and an extra license for the sale of excise-goods. They are liable, in the first instance, for the auction-duties ; they are also bound to observe the strict letter of their instructions, and liable for any damage which may arise to an employer's property while under their care. The employment of fictitious bidders or *puffers*, to raise the biddings at an auction, is held to vitiate the sale. There are between 2000 and 3000 licensed auctioneers in the kingdom. The following duties are payable on goods sold by auction : On sheep's wool, the produce of any part of the United Kingdom, a duty of 2*d.* for every 20*s.* ; on any interest in possession, or reversion, in any freehold, customary, copyhold, or leasehold lands and tenements,—on any shares in the stock of any corporation or chartered company,—on any shares of ships or vessels,—on any annuity, or reversionary interest in the public funds,—on plate or jewels, a duty of 7*d.* for every 20*s.* ; on furniture, fixtures, pictures, books, horses, carriages, and all other goods and chattels whatsoever, a duty of 1*s.* for every 20*s.*

AVERAGE. A term used in maritime commerce to denote the proportions contributed by the owners of the ship, freight, and cargo, respectively, to make good the loss arising “ where any sacrifice is deliberately and voluntarily made, or any expense fairly and *bonâ fide* incurred, to prevent a total loss ; ” it being clearly equitable that a loss incurred for the sake of all should be made good by a general contribution. *Vide Benecke On the Principles of Indemnity in Marine Insurance ; Park On Insurance ; Stevens's Essay on Average ; Marshall On Insurance ; Abbott On the Law of Shipping, &c.*

BACON. Berks, Hants, Wilts, and York are the English counties most celebrated for Bacon ; those of Scotland are Dumfries, Kirkcudbright, and Wigtown. Large quantities are produced in Ireland, but it is in all respects inferior to that of England. The import duty on bacon and hams is 28*s.* per cwt. It is only for exportation that bacon can be entered to be warehoused. *Vide 7 Geo. IV. c. 48.*

BAGGAGE. Wearing apparel and other articles for the use of the crews and passengers of ships. Such baggage is subject to numerous custom-house regulations.

BAIL. The freeing or setting at liberty of one arrested or imprisoned upon action either civil or criminal, under security taken for his appearance. Also the person or persons becoming security. Bail is either *common* or *special*: the former being merely fictitious, whereby nominal sureties, as John Doe and Richard Roe, are feigned to be answerable for the defendant's appearance at the court to which he is cited. Special bail is that of an actual security.

BAIL BOND. A document by which one party becomes security for the performance of any undertaking by another.

BAILIFF. An officer appointed to arrest persons for debt. Also, on manors, one whose duty it is to gather the rents, pay quit-rents, fell trees, superintend the servants, &c.

BALANCE. The difference between the two sides of an account. In commerce, the difference between the value of the total exports and imports of a country. Thus, if the official value of the produce and manufactures of the United Kingdom exported in a year be £69,989,339, while the official value of the imports is only £45,952,551, a balance will be left in favour of this country of £24,036,788.

BALE. A certain quantity of goods; as a bale of cloth, silk, &c. To sell under the *bale*, or under the *cord*, is a phrase employed in France and other countries for the sale of goods by wholesale and unpacked.

BALK. A large piece of timber.

BALLOT. In law, the names of all the jurors are written on tickets, and put into a box; and the twelve persons whose names are first drawn, must be sworn on the jury, unless challenged, absent, or excused from serving.

BALLAST. A quantity of sand, stones, gravel, &c. placed in a ship's hold, to sink her to a proper depth in

the water, and to render her capable of carrying sail without being overset. Ships without a cargo of merchandise on board, are said to be in ballast. By the navigation laws of England and other commercial nations, vessels are often obliged to take ballast, either outwards or homewards, instead of transporting, even at little profit, cheap goods of the country.

BAMBOO. A species of cane growing every where within the tropics. In the east, it is used for agricultural implements, in the construction of boats, bridges, houses, &c.

BANDANA. A silk handkerchief, with a red or other dark ground spotted with white. This mode of dyeing, in both silk and calico, appears to have been practised from time immemorial in India. It is now managed with equal or superior success at Glasgow and other places.

BANK, BANKS, BANKING. A bank is an establishment to insure the safe custody of money; to facilitate its payment by one person to another; and, sometimes, for the accommodation of its customers, or the public, with loans. Professor Leslie remarks, that when calculations with counters became involved, the table on which they were performed, being necessarily of a very considerable size, was called *the bench* or *bank*; and hence our term for an office where money transactions are negotiated. There is no doubt that bankers and banking operations were known to the ancients. The Jews had their money-changers; the bankers of Athens were a keen and thriving race of men; and the private bankers of Rome conducted business in a manner similar to that of the bankers of the present day. In modern Europe, banks were originally designed to serve merely as places of safe deposit for money, jewels, plate, and other portable articles of great value; they were first employed in Italy for mercantile and financial purposes. The bank of Venice was established in 1171. It was a bank of deposit merely, not of issue; but an arrangement was made by which the depositors were enabled, whenever it might suit their convenience, to transfer their deposits, or any portion of

them, to a third party, by means of a cheque or order on the bank. The cloth-merchants of Barcelona, about the year 1401, added banking to their commercial pursuits. Amsterdam also followed the example of Venice, but not till nearly five centuries later, when the commerce of Europe had passed into the hands of the Dutch. The bank of Amsterdam, like that of Venice, was taken under the protection of the state, and, like its model also, was merely a deposit bank. A depositor received credit in the books of the bank for the value of the specie and other articles intrusted by him to the custody of the directors, and made his payments by an order of transfer from the credit side of his account to that of the party to whom he stood indebted, instead of actually removing the deposits or effects themselves from the coffers of the bank. Although no interest was allowed for deposits, and even a premium or warehouse-rent was paid upon them, yet, as it was always understood that the whole treasure was kept locked up in the bank's coffers, and would be forthcoming at a moment's notice, the bank of Amsterdam had the complete confidence of the public, and its money bore a regular premium or agio, compared with the ordinary metallic currency. The bank of Hamburgh was established in 1619. It also is a deposit bank under the guarantee of the city magistrates; but it allows none but citizens of Hamburgh to have accounts open in its books. The bank of Vienna was established in 1703; the banks of Berlin and Breslaw in 1765.

According to the present system, in this country, banks are usually divided into two classes: banks of deposit and banks of circulation. However, all banks of deposit are banks of circulation also; and there are few if any banks of circulation which are not also banks of deposit. By the phrase banks of deposit, we understand those establishments which keep the money of individuals, and circulate it only; whilst, by banks of circulation, we recognize those which do not thus confine their circulation, but issue notes of their own payable on demand. The bank of England is the chief bank of circulation in the king-

dom ; but that establishment, as well as the private banks in England and Scotland that issue notes, is also a bank of deposit. The London banking houses do not issue notes ; a principle which is acted upon by many private banks in different parts of the country.

Amongst the numerous advantages of banks, in giving security and facility for commercial operations, it may be mentioned that they afford convenient places of deposit for money that would otherwise have to be kept, at considerable risk, in private coffers. To a considerable extent they obviate the necessity of carrying money from place to place, for purposes of payment. For instance, a merchant or tradesman in London, instead of holding large sums of money in his own hands, makes all his considerable payments by drafts or cheques on his banker. He also sends the various bills, drafts, or cheques, payable to himself in London, to his bankers before they become due ; and thus avoids a variety of trouble, inconvenience, risk of loss, &c. "Let us suppose," observes Mr. Gilbert, in his *Practical Observations on Banking*, "that a merchant has only two bills due each day. These bills may be payable in distant parts of the town, so that it may take a clerk half a day to present them ; and in large mercantile establishments it would take up the whole time of one or two clerks to present the due bills and the drafts. The salary of these clerks is therefore saved by keeping an account at a banker's. Besides the saving of expense, it is also reasonable to suppose that losses upon bills would sometimes occur from mistakes, or oversights, from miscalculation as to the time the bill would become due, from errors in working it up, from forgetfulness to present it, or from presenting it at the wrong place. In these cases the indorsers and drawers are exonerated ; and if the acceptor do not pay the bill the amount is lost. In a banking-house such mistakes occur sometimes, though more rarely, but when they do occur, the loss falls upon the banker, and not upon his customer." The merchant can also make his remittance to individuals at a distance, through his banker,

without risk, and at an expense almost too slight for notice."

There are yet other points of advantage to be considered by a merchant, or a tradesman, in opening an account with a banker. He is thereby enabled to give the best of references for his general respectability, integrity of character, and pecuniary responsibility. In many instances, too, his banker will be able to furnish him with desirable information respecting strangers with whom he may be disposed to transact business. Persons of moderate, or even of large capital, may frequently derive advantage from their bankers in having their bills discounted by them; bills which they may have been obliged to take in business instead of cash, and the cash for which they may be in want of to make good their own payments. In cases of undoubted responsibility, and on emergency, private bankers will sometimes allow their customers to overdraw their accounts; an accommodation never conceded by the bank of England.

As it is very advantageous for all persons, whether in or out of trade, to have a banker, the following observations may be useful.

There are two kinds of accounts kept at the bank, viz.; discount and cash accounts: the latter are on the same footing as accounts kept with private bankers, and any one applying to the chief clerk of the drawing office, may keep his cash there. To open a discount account, the party must be known to and have the influence of one of the directors.

To open an account with one of the private or joint stock banks, it is necessary to inquire for the manager and inform him what you wish to do. On his approval, you will be presented with a "bankers' book" and a book of cheques, which should be kept private. In joint stock banks a committee of directors sit daily to receive applications, which are considered confidential, and immediately decided upon. When money is sent it is necessary to give the amount and your name on a slip of paper; then the cashier will see if it agrees with the amount.

To keep cash transactions correct, all monies received must be sent to the bank, and all payments made by cheques, except petty cash, for which a cheque should be drawn when wanted. The "bankers' book" should be balanced at least every three months.

It is essential to persons being partners to have private banking accounts, to keep cash transactions separate; also in cases of an executor, assignee, or treasurer of public or private societies, that you may not mix the affairs of others with your own.

It is very necessary, in case of fire or any other accident, to place in the care of your banker all deeds, leases, wills, policies, &c., for security; which is done by having a small tin box with your name painted thereon. This can be had from thence at any time.

Neither the bank of England, nor the private banking establishments of London, charge any commission on the payments made and received on account of their customers; but they allow no interest on the sums deposited in their hands. Some of the joint-stock banks allow interest on the smallest balance which may appear to the credit of an account at the close of any day during the preceding month.

A paper currency, consisting of bank notes, &c., circulates on the credit of the party issuing it; and there is no fiction in it so long as the issuer of the paper can redeem his notes on demand. Every banking company should be obliged to deposit in the hands of government as much stock as should be equal to the whole, or at the least to three-fourths of their issues. Such security has been exacted from the bank of England in its permanent capital lent to government, all of which must be considered as impledged for the security of the holders of the paper of that company.

The bank of England is the most extensive banking establishment in Europe. It was originally projected by a Scotsman of the name of Paterson; and originated in a loan of £1,200,000 made to government by some London merchants. Previously to its establishment, the

goldsmiths of the metropolis seem to have transacted the money-business of England. The subscribers to the loan received 8 per cent. interest, besides £4,000 a year for the expenses of management of the public debt ; and were incorporated into a society, denominated "The Governor and Company of the Bank of England," by charter for eleven years, in 1694. The charter was renewed in 1697, 1708, 1713, 1742, 1764, 1781, 1800, 1833. The act 3° and 4° Will. 4, c. 98, continues the privileges of the bank till twelve months' notice after the 1st of August, 1855, with a proviso that the charter may be withdrawn on twelve months' notice after the 1st of August, 1845.—The capital of the bank of England, in 1780, amounted to £4,402,343. In 1746, it amounted to £10,780,000. In 1782, it was £11,642,400. In 1806, 25 per cent. was added to the capital from accumulated profits, making altogether a capital of £14,553,000, which is permanently lent to government at 3 per cent., and may be called the fixed capital of the bank, it being repayable only when the charter shall expire and not be renewed. This disposable capital is employed in various ways. 1. The greater part of it is employed in advances and loans to government, on the security of exchequer-bills and produce of taxes not yet collected. These advances, half a century ago, averaged £8,000,000 per annum. After the exemption of the bank from cash-payments in 1797, they rose to £14,000,000. During the five years from 1827 to 1832, they were £19,000,000. However, there are, in general, very large balances remaining in the bank, on account of the government offices ; and the employment of the balances of the public money forms one main source of profit to the bank. 2. The bank of England does not make the discounting of mercantile paper the principal object, and therefore charges a rate of interest for loans somewhat higher than other banks. From the scarcity of money in the summer and autumn of 1839, the rate of interest charged by the bank rose to 6 per cent. When there is a pressure in the money market, and the market-rate of interest rises to that of the bank, both private

bankers and the public generally resort to the bank of England for support. 3. Money is more plentiful in the months of January, April, July, and October—in consequence of the issue of the dividends on government-stock—than in the preceding months. To meet the periods of scarcity, the bank makes advances on the deposit of exchequer bills, bills of exchange, and other securities, and resumes these advances as soon as the dividends are paid. 4. The general rule at the bank is to have a store of bullion equal to about a third of the paper in circulation, including deposits. This cash-reserve is to meet any drain for gold and large exportation of the precious metals. 5. The annual average loss of the bank by bad debts, is about £30,000. 6. The 'dead weight,' as it is called, may be thus explained. In 1823, the naval and military pensions, superannuated allowances, &c., payable by government, amounted to the sum of £5,000,000 annually. This large sum pressed heavily on the finances of the country; but as it was a debt of a nature which, under a continuance of peace, would gradually lessen, and finally be extinguished by the death of the parties, it was thought both prudent and fair to obtain present relief by transferring a part of the burden to the next generation. It was calculated that this 'dead weight' would be extinguished, in the natural course of things, in the course of forty-four years, and the bank of England agreed to advance the money on condition of receiving an annuity of £585,740 for forty-four years, or until the year 1867.

The yearly income of the bank is derived from the following sources:—1. Interest at $2\frac{1}{4}$ per cent. on exchequer bills and other government securities. 2. Interest on mercantile bills discounted. 3. The 'dead weight' annuity, the largest of all the annual assets of the bank. 4. Interest at 3 per cent. on the permanent capital of £14,553,600 lent to government. 5. Allowance for managing the public debt, that is, for trouble in paying the dividends, superintending transfers, &c. This allowance, previously to 1786, was £562. 10s. a million. In 1786, it

was reduced to £450 a million; in 1808, to £340 a million on £600,000,000, and to £300 a million on the remainder of the public debt. The act 3° and 4° Will. 4, c. 98, directed a deduction of £120,000 a year to be made from the total allowance; and this item may henceforth be taken at £130,000 per annum. 6. Interest on mortgages and private loans. 7. Profit on bullion, commission, agencies for the banks of Ireland and Scotland, and the royal bank of Scotland, and sundry small items. The profit from the circulation of notes is greatly reduced by an arrangement that the same notes shall be issued only once: as soon as they are brought back to the bank, they are cancelled, howsoever recently they may have been issued.

During the last century, the proprietors of Bank of England stock had an annual dividend of about 7 per cent. From 1807 to 1822, they divided 10 per cent. annually. In 1823, the rate was lowered to 8 per cent., at which it still continues. In addition to these dividends, however, the stock-holders have, at different times, received bonuses to the amount of 57½ per cent. on the subscribed capital.

There are four general meetings of proprietors of Bank of England stock held in the year, viz., in the month of March or April, in July, September, and December. Only proprietors of £500 and upwards of bank-stock can vote at these meetings; directors must hold £2000. A committee of three directors is in daily attendance at the bank. On Wednesday a court of ten directors sits to consider all notes and bills sent in for discounting. On Thursday there is a meeting of the whole court of twenty-four directors, when all notes of more than £2000 are taken under its review. The directors communicate with the first lord of the treasury and the chancellor of the exchequer.

The following is an analysis of the act for renewing the charter of the bank of England.—“The bank shall continue to hold and enjoy all the exclusive privileges of banking given by the act 39° and 40° Geo. 3, c. 28, as regulated by the act 7° Geo. 4, c. 46, or any prior or

subsequent acts of parliament, but no other or further exclusive privilege of banking. Any body politic or corporate, or society, or company, or partnership, although consisting of more than six persons, may carry on the trade or business of banking in London, or within sixty-five miles thereof, provided they do not borrow, owe, or take up in England, any sum of money upon their bills or notes payable on demand, or at any less time than six months, during the continuance of the privileges granted to the bank of England. All promissory notes of the bank of England, payable on demand, issued at any place in England, out of London, where the business of banking shall be carried on for or on behalf of the bank, must be made payable at the place where such notes are issued. Upon one year's notice given within six months after the expiration of ten years from the 1st of August, 1834, and upon repayment, by parliament, of all sums that may be due from the public to the bank at the time of the expiration of such notice, the exclusive privileges of banking granted by this act shall cease and determine at the expiration of such year's notice; and any vote or resolution of the House of Commons, signified by the speaker of the said House in writing, and delivered at the public office of the bank, shall be deemed and adjudged to be a sufficient notice. From and after the 1st of August, 1834, a tender of a note or notes of the bank of England, expressed to be payable to bearer on demand, shall be a legal tender to the amount expressed in such note or notes, and shall be taken to be valid as a tender to such amount for all sums above £5, as long as the bank of England shall continue to pay, on demand, their said notes in legal coin; provided always that no such note or notes shall be held a legal tender of payment by the governor and company of the bank of England, or any branch-bank of the said governor and company. But the said governor and company are not to become liable to be required to pay and satisfy, at any branch-bank of the said governor and company, any note, but only at their bank in London. An account of the amount of bullion and

securities in the bank of England, belonging to the said governor and company, and of notes in circulation, and of deposits in the said bank, shall be transmitted weekly to the chancellor of the exchequer for the time being ; and such accounts shall be consolidated at the end of every month, and an average state of the bank accounts of the preceding three months, made from such consolidated accounts as aforesaid, shall be published every month in the first succeeding London Gazette.—One-fourth part of the debt due from the public to the bank shall be repaid.—If a general court of proprietors so determine, the capital stock of the bank shall be reduced from the sum of £14,553,000, of which the same now consists, to the sum of £10,914,750 ; and the sum of £3,638,250 shall be appropriated and divided amongst the persons or bodies politic or corporate who may be proprietors on the said 5th of October, 1834, at the rate of £25 for every £100 stock. From and after the 1st of August, 1834, the said governor and company, in consideration of the exclusive banking given by this act, shall, during the continuance of such privileges, but no longer, deduct from the sums now payable to them for charges of management of the public unredeemed debt, the annual sum of £120,000. All the powers, authorities, franchises, privileges, and advantages, given or recognised by the provisions of the 39th and 40th Geo. 3, c. 28, aforesaid, as belonging to, or enjoyed by, the governor and company of the bank of England, or by any subsequent act or acts of parliament, shall be, and the same are hereby declared to be, in full force, and continued by this act, except so far as the same are altered by this act, subject, nevertheless, to redemption upon the terms and conditions following, that is to say, that at any time upon twelve months' notice to be given after the 1st of August, 1855, and upon repayment, by parliament, of the sum of £11,015,100, being the debt which will remain due from the public to the said governor and company after the repayment of one-fourth of the debt of £14,686,804, as herein before provided ; and upon payment to the said governor and

company of all arrears of the sum of £100,000 per annum in the said act of 39^o and 40^o Geo. 3, before mentioned, together with the interest or annuities payable upon the said debt or in respect thereof, and also upon repayment of all the principal and interest which shall be owing to the said company upon all such tallies, exchequer-orders, exchequer-bills, or parliamentary funds—which the said governor and company, or their successors, shall have in their hands, then, and in such case, the exclusive privileges of banking granted by this act shall cease and determine at the expiration of such notice of twelve months.”

Commencing about the year 1826, the bank of England has established branches in some of the principal towns of England. They exist at Birmingham, Bristol, Gloucester, Hull, Leeds, Liverpool, Newcastle-on-Tyne, Norwich, and some other places. They allow no interest, nor do they permit any one to overdraw his account. They supply the neighbouring banks with gold when required, and give such bankers as wish it the use of bank of England notes at 3 per cent. interest. The application of parties who desire to open discount-accounts at any of these branch-banks, is forwarded every Saturday to the parent-establishment for approval; and when approved, good bills may be discounted without further reference to London. The dividends on any of the public funds, which are payable at the bank of England, may be received through any of its branches by persons who have opened drawing accounts, after signing powers of attorney for that purpose: the only charge being the expense of the power of attorney and the postages. Purchases and sales of government securities may also be effected by these branches at a charge of $\frac{1}{4}$ per cent. Persons having drawing-accounts at them, may order money to be paid at the bank in London to their credit, and *vice versa*, without expense. The branch-banks may be called upon to change any notes issued and dated from themselves; but they do not change the notes of the bank in London, nor receive them in payment, unless as a matter of courtesy. No note issued

exceeds £500, and none are for a less amount than £5.

Private provincial banks began to be formed soon after the middle of last century. In 1797, their number was computed at 280. In that year, leave was given them, as well as the bank of England, to issue small notes, (hitherto their lowest note had been for £5,) and they were also, like the bank of England, relieved from the necessity of paying their notes in cash. The consequence was that they rapidly increased in number : so that in 1814, they exceeded 900. The fall of prices that took place in the autumn of 1813 produced a terrible destruction of country bank paper ; and before the close of 1816, no fewer than 92 commissions of bankruptcy were issued against English country banks, giving rise to an extent of wretchedness and misery which had never been equalled, except, perhaps, by the breaking up of the Mississippi scheme in France. With the rise of prices in 1823, confidence increased, and the country banks began again to pour forth their paper-currency. The amount of country notes in circulation in 1825 was supposed to be from 30 to 40 per cent. greater than their amount in 1822. This excessive addition to the currency rendered it redundant, and caused a drain of bullion. This drain again forced the bank of England to contract its issues ; the currency of the metropolis thus became more valuable than that of the country, and the currency of the country bankers was returned upon them. The first failures heightened the panic ; and, in the course of five or six weeks, from 60 to 70 banking establishments stopped payment.

Some of the country banks allow from 2 to 3 per cent on deposits, and charge 5 per cent. on overdrawn accounts.

In the year 1826 an act was passed which permitted the formation of banks of issue, with more than six partners, at any distance exceeding 65 miles from London. The system appears to have originated thus :—There had long been a general understanding, that the act of 1708, and other acts conferring exclusive privileges on the national bank, prevented any company, consisting of more than

six partners, from issuing notes payable on demand ; and also that they prevented such establishments from transacting general banking business ; such as receiving the money of individuals, paying their cheques, discounting their bills, &c. Doubts, however, arose, whether companies with an unlimited number of partners, set on foot for the mere business of banking, and without becoming banks of circulation, were actually prohibited by the acts referred to. Whilst the question of the renewal of the Bank of England charter was pending, the point was submitted to the consideration of the Solicitor and Attorney Generals, who delivered their opinion "that such banks might be legally established within the limits to which the exclusive privileges of the Bank of England were restricted by the act 7 and 8 Geo. 4, c. 46." However, as the declared opinion of other lawyers differed from this, a clause was inserted in the act 3 and 4 Will. 4, which removed all doubts on the subject, by expressly authorizing the establishment of banks not issuing notes, with any number of partners, any where within the district to which the exclusive privileges of the national bank, as a bank of circulation, had previously been restricted. The second section of the act 3 and 4 Will. 4, repealed a regulation in the act 7 Geo. 4, c. 46, which prohibited banks with more than six partners from drawing on London on demand, or otherwise, for sums of less than £50. In pursuance of the new enactment, there were registered up to July, 1833, thirty-four joint-stock banking companies ; and, from that period till January, 1838, the number had increased to 111 ; nearly four-fifths of which were banks of issue ; and their capital, which, in September, 1834, amounted to £1,783,689, in September, 1836, had reached to £3,969,121. In consequence of numerous evils thus arising, a secret committee was appointed by the House of Commons, in 1836, to inquire into the operation of the act permitting the establishment of joint-stock banks ; and whether it might be expedient to make any alteration in its provisions. The report of the committee was extremely unfavourable to the system upon

which these establishments were formed and conducted, and various remedial measures were suggested.

The bank of Scotland—the only Scotch bank constituted by act of Parliament, was projected by Mr. John Holland, a London merchant, and it was established (Will. 3, Parl. 1. s. 5.) in 1695, by the denomination of the Governor and Company of the Bank of Scotland. Its original capital was £1,200,000 Scotch, or £100,000 sterling, distributed in shares of £1,000 Scotch, or £83. 6s. 8d. sterling each. In 1744, the capital was increased to £200,000 sterling; and ultimately, after other advances, in 1804, to £1,500,000, its present amount. The amount of bank paper circulated in Scotland is between three and four millions, of which more than half is in notes of £1. The number of banks in Scotland which issue notes is about thirty, of which the five principal hold charters:—the Bank of Scotland, established in 1695, with an exclusive privilege of banking for twenty-one years;—The Royal Bank, established in 1727; capital £2,000,000;—The British Linen Company, incorporated in 1746; capital £500,000;—The Commercial bank; capital £600,000;—and The National Bank; capital £500,000.

Several of the other banking companies in Scotland have a great number of partners, to the extent of two, three, four, or even twelve hundred; but as they act without charters, each party is liable for the engagements of his bank to the whole extent of his fortune. In the chartered banks the partners are absolved from all responsibility beyond the amount of capital. The management is uniformly in a body of directors chosen by the shareholders.

Notes of £1 have been issued in Scotland during more than a century. In 1826, when parliament called in small notes in England, a similar attempt was made with regard to Scotland; but a committee being called for by the Scots members, the result was a determination in nowise to interfere with the existing system in that part of the island. Without the profit arising from the circulation of a paper currency under £5, the branch-banks

could not be continued in thinly populated districts and small towns. It is customary with banks in Scotland to give what they term *cash-credits*, that is, to make advances of money, at a rate of interest somewhat above the average of the money-market, on receiving personal security from the friends of the borrower. Another custom of banks in Scotland is that of allowing interest on any deposit above £10. The Scotch banks perform the part of savings banks on a large scale. The depositors are frequently mechanics or humble tradesmen; yet the aggregate of the sums so deposited in the different banks to the north of the Tweed, is said to amount to £24,000,000. All the Scotch banks have agents in London upon whom they draw bills; but their notes are payable only in Scotland.

The national bank of Ireland was established in Dublin, in 1783, with privileges similar to those of the bank of England, and containing in its charter a clause, that "no other bank issuing notes should consist of more than six partners." The capital of this corporation was £600,000, which was lent to government at 4 per cent. interest. In 1809, £1,000,000 was added to its capital; and in 1821, the capital was augmented to £3,000,000. The exemption from paying in cash granted to the bank of England in 1797, was extended in that year to Ireland, and led forthwith to a great increase in the circulation of bank paper.

In 1825, a joint-stock bank was formed at Belfast with a capital of half a million, under the title of the Northern Banking Company. In the same year there was established in London the Provincial Bank of Ireland, with the large capital of £2,000,000, subscribed chiefly in London. That establishment has since appointed in all the chief towns of Ireland branch banks beyond the prescribed distance of fifty Irish miles from Dublin. The amount of the bank-paper currency in Ireland on account of the Provincial bank and the Northern Banking Company is understood to be between two and three millions.

A government bank with a capital of £500,000 was

begun in Bengal, in 1809. It has hitherto yielded a dividend of from 9 to 10 per cent. There is another bank at Madras, but it does not do business to any great amount. The business of banking in the interior of India is chiefly conducted by natives, and confined to the issuing and discounting of bills.

Besides the early banking establishments already mentioned, there exist several extensive banking companies in different parts of the world. The bank of France, established in 1803, has a capital of £3,600,000, divided into 90,000 shares. This is the only bank in France which enjoys the privilege of issuing notes. The Commercial Bank of Russia, established in 1818, has a capital of about £1,500,000. The bank of the Netherlands was established in 1814, on the model of the bank of England. The king holds one-tenth of the shares. The bank of the United States of America was incorporated in 1816, with a capital of 35,000,000 of dollars, in shares of 100 dollars each. Its charter expired in 1836, and the banking concerns of America have long been in an embarrassed state. The number of private banking establishments in that country is very large.

Savings Banks were established some years ago to enable individuals of the poorer classes to deposit small sums, such sums to be allowed to accumulate at compound interest; the simple interest not to exceed $2\frac{1}{4}d. per cent. per diem$, or £3. 8s. 5*d. per cent. per annum*. No individual depositor may deposit more than £30, exclusive of compound interest, in a savings bank in any one year; and the aggregate deposits from any one person may not exceed £150. Whenever the deposits, and the compound interest accruing from those deposits, in the name of any one person, shall amount to £200, no interest shall be receivable therefrom. Moneys paid into savings banks established in conformity with the provisions of the act 9 Geo. 4, c. 92, are directed to be paid into the banks of England and Ireland, and vested in bank annuities or exchequer bills; the commissioners for the reduction of the national debt having the

disposal of the sums so vested. According to the act 2 and 3 Will. 4, c. 14, depositors in savings banks are enabled to purchase government annuities for life, or for years, and either immediate or deferred; the annuities being limited to £20 a year; and the money advanced to be returnable, should the contracting party not live to the age at which the annuity should become payable, or be unable to keep up the required instalments.

BANKRUPT, BANKRUPTCY, &c. The word bankrupt is generally derived from *bancus*, a *bench*, and *ruptus*, broken; in allusion to the benches formerly used by the money-lenders in Italy, which were broken in case of their failure. A bankrupt is one who, from having committed one of the various acts designated "acts of bankruptcy" (as shutting himself up in his house, running away from his creditors, &c.) is obliged by law to yield up all his assets, debts, &c. to his creditors, for their use and disposal, till their respective claims shall be satisfied, so far as the said estate will allow. Persons desirous of tracing the history of the bankrupt laws, may refer to the following statutes:—34° and 35° Henry VIII. c. 4.—13° Eliz. c. 7.—2° Jac. I. c. 15.—21° Jac. I. c. 19.—13° and 14° Car. II. c. 24.—10° An. c. 15.—7° Geo. I. St. 1. c. 31.—5° Geo. II. c. 30.—9° Geo. II. c. 18, § 2.—16° Geo. II. c. 27.—19° Geo. II. c. 32.—24° Geo. II. c. 57. § 8, 9, 10.—31° Geo. II. c. 35. § 2.—4° Geo. III. c. 33.—46° Geo. III. c. 135.—49° Geo. III. c. 121.—56° Geo. III. c. 50. §. 11.—5° Geo. IV. c. 98.—6° Geo. IV. c. 16.—1° and 2° Will. IV. c. 56. At present, the proceedings under a commission of bankruptcy, are regulated by the acts 6° Geo. IV. c. 16, and 1° and 2° Will. IV. c. 56. These acts declare that, in general, any act which is intended to delay or defraud creditors is an act of bankruptcy; also filing a petition in order to take the benefit of the insolvent act; also the being held in prison for any really subsisting debt for the period of 21 days. When an act of bankruptcy has been committed, the next step is to petition the lord-chancellor to issue his fiat. No fiat is issued unless the petitioning creditor's debt amount

to £100. Formerly the bankrupt business was transacted by 70 commissioners, appointed by the chancellor, and acting in rotation in sets of five each. For these, an entirely new court has been substituted, consisting of a chief judge, with three puisne judges, and six commissioners. This court has a jurisdiction of 40 miles around London. The bankruptcy business in the country is managed by such barristers and solicitors as the lord-chancellor may appoint permanent commissioners. The commissioners, on full proof thereof, adjudge the debtor a bankrupt. Notice of such adjudication is given in the London Gazette, and two public meetings are appointed for the bankrupt "to surrender." At these meetings, and at every other meeting appointed for proof of debts, every creditor may prove his debt by affidavit, or by appearing personally and making oath. All the real and personal estate of the bankrupt is invested in an official assignee, of whom there are thirty appointed by the lord-chancellor from among the merchants and traders of the metropolis. He gives security for the trust reposed in him, and receives a sum for his trouble which is fixed at the discretion of the commissioners. At the first meeting, the major part of the creditors in value are to appoint assignees. At the last examination of the bankrupt, the creditors are to assent to, or dissent from, the allowance of his certificate. The commissioners are also to appoint a public meeting of the creditors, to be held not sooner than four calendar months after issuing commission, nor later than six months from last examination, and of which 21 days' notice must be given in the Gazette, to audit the accounts of the assignees. A bankrupt not surrendering upon the 42nd day after notice, or not making discovery of his estate and effects, is guilty of felony, and liable to transportation. A penalty of £100, and double the value of the property itself, is imposed on persons concealing a bankrupt's effects. At any meeting of creditors, after the last examination, the bankrupt may tender a composition; and if this is accepted by nine-tenths in number and value of the creditors, at two separate meetings, the lord-chan-

cellor may supersede its commission. Not sooner than four, nor later than twelve calendar months, the commissioners are to appoint a public meeting to make a dividend, of which 21 days' notice must be given in the Gazette. At this meeting, creditors who have not yet proved, may prove their debts. If the estate is not wholly divided upon a first dividend, a second meeting must be called, not later than 18 months from the date of the commission; and the dividend declared at such meeting is final, unless some suit at law be pending, or some part of the bankrupt's property afterwards accrue to the assignees, in which case, any additional funds must be shared among the creditors within two months after being realized. The bankrupt who has fully surrendered is discharged by certificate signed by four-fifths in number and value of the creditors, and cannot be again arrested for any debt proveable under the commission; but if he has been bankrupt before, or compounded with his creditors, or taken the benefit of the insolvent act, unless his estate produce 15s. in the pound, the certificate only protects his person from arrest. Any future property he acquires may be seized by the assignees for the behoof of his creditors. If the produce of a bankrupt's estate does not amount to 10s. in the pound, he is only allowed out of the assets a sum not exceeding 3 per cent. or £300 on the whole; if it produce 10s. he has 5 per cent. not exceeding £400; if 12s. 6d. per pound, he has 7½ per cent. not exceeding £500; if 15s. in the pound, or upwards, he has 10 per cent. not exceeding £600. He is not entitled to certificate or allowance, if he has lost by gaming or wagering, in one day, £20, or within the year next preceding his bankruptcy, £200.—See *Certificate*.

All the property of a bankrupt is held to vest in his assignees from the date of the act of bankruptcy. Transactions by and with the bankrupt of a date at least two months previous to that of the fiat, are valid, provided the party had no notice of the bankrupt's prior act of bankruptcy. *Bonâ fide* payments by or to the bankrupt, before the date of the fiat are valid, provided that the party

dealing with the bankrupt, had not, at the time of making or receiving such payment, notice of his having committed an act of bankruptcy. Whatever goods a bankrupt has in his possession, with the consent of the owner, and whereof he is reputed owner, at the time of his bankruptcy, belong to his creditors. Bills discounted by a banker pass to his assignees. Property which the bankrupt held merely as factor, or executor, or administrator, does not pass to his assignees. It has been held, that where the bankrupt had received goods the evening before his bankruptcy but never unpacked them, they might be reclaimed by the owner.—See *Insolvency*.

In Scotland, the acts which chiefly regulate bankrupt-law, are 1696 c. 5., and 54° Geo. III. c. 137. Any debtor, not having funds to pay his debts, may be made bankrupt. Where the bankrupt has been concerned in trade, his effects are attached and distributed among his creditors by a *sequestration*. This process commences with an application to the court of session, which must be supported by at least one petitioning creditor whose debt amounts to £100; or by two whose conjunct debts amount to £150; or by three or more whose debts amount to £200. The debtor himself may concur in this petition; if it be made without his concurrence, it must be presented to the court within four months of the execution of diligence against him. With the petition for sequestration, the creditors must produce their grounds of debt, with oaths of verity thereon. When there is concurrence of the debtor, an act of sequestration is immediately allowed; but if not, the court first pronounces an order for service of the petition upon the debtor, with citation. If the debtor fail to appear on the day for which he is cited, or, so appearing, shall not either produce discharges for the debts libelled on, or reasons why he ought not to be compelled to pay, the court immediately grants sequestration. This may be recalled, however, within sixty days after its award, on cause shown either by the debtor or any of his creditors. The effect of an act of sequestration is to attach the whole estate of the debtor, heritable and move-

able, for the benefit of his creditors. A day is at the same time appointed for a meeting of the creditors; and notice must be immediately given in the Edinburgh and London Gazettes. No creditor can vote at any meeting until he has produced his ground of debt with oath of verity thereon; if out of the kingdom, he may appear by his agent, or attorney. At the first meeting, a factor, or interim manager, on the bankrupt estate is appointed; where no factor is chosen, the interim management devolves on the sheriff-clerk of the county in which the bankrupt resides. The next step is the appointment of a trustee, at a meeting in which the bankrupt exhibits a statement of his affairs. This appointment is determined by a majority of the creditors in value; a creditor under £20 is not reckoned in number, but in value only. The trustee's duty is, with the aid of the bankrupt, to recover his estate and effects, and realize the largest possible sum for the behoof of the creditors. This accomplished, meetings of creditors are held to examine what the trustee has done, and choose commissioners for auditing his accounts. The bankrupt's estate is then divided among the creditors, if no offer of composition is made and accepted. The bankrupt will be protected from arrest, at the first general meeting of creditors, on application to that effect to the court, with concurrence of the trustee, and four-fifths of the creditors in number and value. After payment of the second dividend, he may, with the same concurrence, apply for a discharge. The court of session is always open to petitions for sequestration.

BARILLA. The best barilla of commerce, or Alicant barilla, from the eastern shores of Spain, is prepared from the ashes of several marine and other plants growing on the sea-shore. This crude soda is extensively used by soap-makers, glass-makers, bleachers, &c. The duty on barilla is 2s. per cwt. According to 4 and 5 Will. IV. c. 89, § 14, the duties on barilla employed in the bleaching of linen are to be repaid to the bleacher under such regulations as the commissioners of customs may order.

BARK. Bark, the outer rind of plants, is a powerful

astringent. Of the Peruvian or Jesuits' Bark, extensively used in medicine, there are three principal species: pale, from the *cinchona lancifolia*; red, from the *cinchona oblongifolia*; and yellow, from the *cinchona cordifolia*. For the tanning of leather, the bark of the common oak is preferred to all other substances. Quercitron, from the *quercus tinctoria*, is employed for imparting a yellow dye to silk and wool.

BARRATRY. Any fraudulent or unlawful act on the part of the master or crew of a vessel, with reference to its owners; such as taking it out of its proper course, unduly detaining it in any harbour, deserting or sinking it, &c. It is usual, in most countries, to insure against barratry.

BARREL. A cask, or vessel, containing 36 imperial gallons.

BASKET. A vessel or package, made of wicker, straw, &c. of any size or shape, for holding dry goods. Some of the finer sorts of foreign baskets are imported under an *ad valorem* duty of £20 per cent.

BATTEN. A scantling of wood, $2\frac{1}{2}$ inches thick, and less than 7 inches wide.

BEACON. A mark or signal to give warning against shoals, rocks, &c. The corporation of the Trinity House has authority over beacons, buoys, &c. and may place them where they please. Any person wilfully removing or running down any authorised beacon, buoy, &c. is subject to a fine of not less than £10 and not more than £50, besides the expense of replacing the same.—See *Buoy*.

BEER. See *Ale*.

BILL, IN CHANCERY. A declaration in writing of the grievance for which a plaintiff claims redress from a defendant.

BILL OF COSTS. An attorney's or solicitor's bill for proceedings in the courts of law or equity, which is usually "taxed," or examined, as to the propriety of the items, by officers appointed for the purpose; previously to which "taxing" or examining, the amount cannot be sued for.

BILL OF DEBT. A bond or writing obligatory, drawn up in English.

BILL OF ENTRY. A document containing an account of goods entered at a custom-house, either inward or outward. Entry inward must be made within fourteen days after the arrival of the ship.

BILL OF EXCHANGE. A note ordering the payment of a sum of money at a specified time and place, to a person therein appointed, in consideration of value received by the drawer at another. All bills of exchange, foreign or inland, in England, are drawn upon stamps, tables of which are given in most of our almanacks and pocket-books. The negociation of inland bills of exchange, or those drawn by one person on another residing in the same country, may be effected either with or without the agency of bankers.

Usually there are three parties to a bill of exchange, viz. the drawer, the acceptor, and the indorser. When a party refuses to accept a bill drawn upon him, the holder's notary takes protest upon it, whereupon it is returned to the original drawer, who is liable in damages to the holder. Should the bill be accepted, but not paid when due, the holder's notary protests for non-payment. The acceptor is always liable to the holder; and the holder has recourse also against the drawer and the indorsers: by a late rule of court, the acceptor is liable only for the expenses of an action against himself, therefore the holder must make his election whom to sue. To preserve this recourse the earliest possible notice of the non-payment of a bill, to the drawer, and also to the indorsers, must be given. Every bill must be for payment of money only; but it does not affect the validity of a bill that its payment should depend upon some contingency, provided it be a contingency which must eventually happen, such as the death of a party now living. An alteration in the date, sum, or time of payment of a bill, will invalidate it; but it has been ruled that the words "or order" may be interlined in it. A bill cannot be received in evidence by a court of justice, unless it be duly and precisely stamped. A bill may be accepted either *absolutely*, or *with qualifications*. When accepted qualifiedly, it does not bind the acceptor till the contingency stipulated shall have happened. A bill may be also

accepted partially, that is, it may be drawn for £200, but accepted only for £150. In all cases of conditional or partial acceptance, it is the duty of the holder, if he wish to preserve his recourse against the drawer and indorsers, to give notice to them of such partial or conditional acceptance. When a bill is made payable a certain time after sight, the holder must get the acceptor to note upon it the day when it was presented for his acceptance. Notice of the dishonouring of a bill, by non-payment, or non-acceptance, should always be given to the immediate indorser, next day, through the post-office. Bills may be transferred either by delivery only, or by indorsation and delivery. Bills payable to order require indorsation and delivery; but bills payable to bearer may be transferred by either mode. A special indorsement precludes the person in whose favour it is made from making a transfer. After the payment of a part, a bill may be indorsed over for the residue. If a bill is not presented for payment when due, the drawer and indorser will be exonerated from liability. If a bill fall due on Sunday, or a holiday, it must be presented for payment on the day preceding. The days of grace ought to have expired before a bill is presented for payment; but in Hamburg, and in France, the day on which the bill falls due is accounted one of the days of grace. No days of grace are allowed on bills payable on demand, or on bank post bills.

Bills of exchange may be drawn payable at sight, or so many days or months after date, or at *usance*, as it is termed; that is, the usual term allowed by the law of the place where the bill is payable. Most countries, however, allow a few days beyond the term of payment for settling or taking up a bill. These are called *days of grace*. And on bills drawn on London or any place in the United Kingdom they are three days. The following is a list of the usances and days of grace of the principal mercantile cities of Europe: the bills are supposed to be drawn in London:—

	<i>Usance.</i>	<i>Grace.</i>
On Amsterdam,	one month	6 days
Antwerp,	do.	do.

B I L

	<i>Usance.</i>	<i>Grace.</i>
Altona,	1 month	12 days
Bourdeaux,	30 days	10 —
Bilboa,	2 months	14 —
Cadiz,	60 days	6 —
Cork,	21 —	3 —
Dantzic,	14	10 —
Geneva,	30 —	5 —
Genoa,	3 months	30 —
Gibraltar,	2 months	14 —
Leipsic,	14 days	0 —
Madrid,	2 months	14 —
Malta,	30 days	13 —
Naples,	3 months	3 —
Oporto,	30 days	6 —
Paris,	—	10 —
Rio Janeiro,	—	6 —
Venice,	3 months	6 —

(See *Exchange*.)

BILL OF HEALTH. A certificate signed by the proper authority, bearing, what, at the time the ship therein specified sailed from a certain port, was the general state of health in the country. Such bills are required only from masters of vessels coming from suspected quarters.

BILL OF LADING. A deed signed by the master of a ship, by which he acknowledges the receipt of a merchant's goods, and undertakes to deliver the same at the place to which they are consigned. Bills of lading are generally printed, leaving blanks for filling in; and three sets are always made out; one of which should be transmitted by the first post to the consignee; the second, sent to him by the vessel itself; and the third retained by the shipper, (stamped, 3s. duty, to legalize the instrument should any action arise.) Bills of lading are transferable by indorsement.

BILL OF PARCELS. A written account, given by seller to buyer, of the quantities, sorts, and prices of goods bought.

BILL OF SALE. A deed given by a person delivering

goods as a security for some consideration received, as a loan of money, &c.

BILL OF SIGHT. When an importer, from ignorance of the actual quantities or qualities of goods assigned to him, is unable to make an exact entry at the custom-house, he is allowed to make an entry by bill of sight—that is, according to the best description that can be given. On this, the collector or comptroller is empowered to grant warrant for the landing of the goods; the importer being bound to make, within three days afterwards, a perfect entry, and either to pay down the duties, or to warehouse the goods. See 3 and 4 Will. 4, c. 52. § 24 and 25.

BILL OF STORE. A license granted by the custom-officers for carrying, free of duty, such stores as may be necessary for a voyage. Returned goods may be entered by bill of store, according to the provisions of 3 and 4 Will. 4, c. 52; and 6 and 7 Will. 4, c. 60. § 2.

BILL OF SUFFERANCE. A license granted to English merchants, to trade from one British port to another, without paying custom.

BISMUTH. Bismuth, marcasite, or tin-glass, is a reddish white metal used in dyeing and in various manufactures. It is softer than copper, but not malleable, nor can it be drawn out into wire. It is used in the composition of pewter, &c. Eight parts of bismuth, five of lead, and three of tin, constitute the fusible metal discovered by Newton. It melts at the heat of boiling water, and may be fused over a candle, in a piece of stiff paper, without burning the paper.

BITUMEN. A black, inflammable, mineral substance, in appearance resembling pit-coal. It is much used in cements and varnishes. See *Asphaltum*.

BLACK-LEAD. Black-lead, or plumbago, is a mineral substance, of a dark steel colour, found chiefly in Cumberland. It possesses a metallic lustre, and is soft, with a greasy feel. It is extensively used in the manufacture of pencils, and for various other purposes.

BOMBASIN. A sort of silk fabric, much used for

mourning dresses. Originally made at Milan, it is now extensively manufactured in this country.

BONES. Bones of cattle and other animals are extensively employed in the useful arts; and, ground into powder, they form an excellent manure for dry soils.

BONIS NON AMOVENDIS. A writ directed to the sheriffs of London, &c. where a writ of error may have been brought; to charge them that the person against whom judgment is obtained, be not suffered to remove his goods till the error shall have been tried and determined.

BOOKS. Book is the general denomination applied to a printed volume: a treatise not of sufficient magnitude to form a volume, is termed a pamphlet. Books are designated according to the number of pages in a sheet: as, the sheet once folded, 4 pages, *folio*; twice folded, 8 pages, *4to.*; eight times folded, 16 pages, *8vo.*; twelve times, 24 pages, *12mo.*, or *twelves*; sixteen times, 32 pages, *16mo.*, or *sixteens*; eighteen times, 36 pages, *18mo.*, *octo-decimo*, or *eighteens*, &c. For instance, the volume now in the reader's hand is *octo-decimo*, or *eighteens*. The size of a book is indicated by the size of a sheet of the paper on which it is printed; as *foolscap 4to.* or *8vo.*; *post 8vo.*; *demy 8vo.*; *royal 8vo.*, &c. The permission to import English books reprinted in foreign countries, is restricted to a single copy of each, as part of a passenger's luggage, for his private use. Foreign books printed previously to the year 1801, may be imported on payment of a duty of 20*s.* *per cwt.*; those, in foreign living languages, printed in or since 1801, are subject to a duty of £2 10*s.* *per cwt.* By an act of 6 and 7 Will. 4, c. 110, the taxes affecting books were considerably diminished: 1st, by the duties on paper having been reduced from 3*d.* *per lb.* to 1½*d.*; 2ndly, by its having been enacted, that five only instead of eleven copies of new works should in future be presented, at the expense of publishers and authors to public libraries.

BOOK-KEEPING. Book-keeping, or the method of keeping commercial accounts, so that a man may at any

time know the true state of his affairs, is either by *single*, or by *double* entry. In the first, the posts of debtor and creditor are separated from each other, and entered in such a way that each one appears singly. Double entry, also called the Italian method, because it was first practised in Italy, is that mode or system in which every entry is double; that is, has both a debtor and a creditor. The principle of this system is, that all money and articles received become debtors to him from whom they are received; while, on the other hand, all those who receive money or goods from us become debtors to cash or to the goods. The books chiefly required by a merchant are; 1st., a *waste-book*, in which all his dealings are recorded without particular order; 2ndly, a *journal*, in which the contents of the waste-book are separated every month, and entered on the debtor and creditor sides; 3dly, a *ledger*, in which the posts entered in the journal are placed under particular accounts, and from which, every year, the balance is drawn.

BORAX. Borax, or tincal, one of the salts of soda, is found abundantly in South America, and in Thibet. One of the best fluxes known, it is used in the analysis of minerals by the blow-pipe, in melting the precious metals, in forming artificial gems, and in soldering.

BOTTOMRY. The borrowing of money by the master of a ship on her bottom or hull; *i. e.*, to be paid with interest, at any rate that may be agreed upon, if the ship return in safety, but otherwise to be lost or forfeited. In some cases the loan is raised upon the lading of the vessel, instead of her hull, and upon the master's personal responsibility. The transaction is then termed '*respondentia*'.

BOUNTY. A premium paid by government to the producers, or the exporters, or the importers, of certain articles, or on the employment of shipping in certain objects.

Box. A close-grained wood, susceptible of a high polish, and much used by mathematical instrument makers, turners, &c. Box is the only wood used by engravers for the illustration of books. The box tree is now scarce in

England. 20s. per ton is paid on its importation from a British possession; if from a foreign country, £5 per ton.

BRASS. A composition of copper and zinc, in the proportion of very nearly two parts of copper to one of zinc.

BREWING. See *Ale*.

BRIBE. By an act of 3 and 4 Will. 4, c. 53. § 38, any person convicted of bribing, or offering to bribe, any officer of the customs, is subject to a penalty of £200.

BRIEF. An abridgment of a client's case made out for the instruction of his counsel, on a trial at law or equity.

BROKER. A person, licensed or unlicensed, employed as a middle-man to transact business between others. A person who sells or appraises household furniture distrained for rent. In the city of London, general brokers must be licensed by the lord mayor and aldermen, under an act of William 3. Brokers acting without license are liable to a penalty of £100. A broker, on his admission, enters into a bond, under £500 penalty, for the faithful performance of his duties; and he receives a silver medal, with his name engraved thereon, producible as evidence of qualification. Twelve persons of the Jewish persuasion, each receiving a medal, are allowed to act as brokers within the city. The medal of a Jewish broker, being transferable by sale during the owner's life-time, is worth from £800 to £1500.

A bill-broker is one who proposes and concludes bargains between merchants and others, in affairs of bills of exchange; such as the selling of bills for those who draw upon foreign countries, and the buying of bills for those who remit to them, &c. His charge, as commission, or brokerage, is 2s. per cent.

A custom-house broker must be licensed by the commissioners of the customs, and enter into bond with one surety for £1000 for the faithful conduct of himself and his clerks.

A ship and insurance broker is not within the acts for the admission, &c. of brokers. His chief employment is in the buying and selling of ships, procuring of cargoes on freight, adjusting the terms of charter-parties, settling

with the master for his pay and disbursements, &c. As a ship-broker only, his charge is about £2 per cent. on the gross receipts. If he act as an insurance broker, he charges £5 per cent on the premium, exclusive of a discount allowed on settling with the underwriters.

A stock-broker is a person licensed to buy and sell stock in the public funds, or in the funds of joint-stock companies ; for all transactions in which, with the exception of India bonds and Exchequer bills, he is entitled to a commission of 2s. 6d. per cent. : on those only 1s. per cent. Excepting by the parties themselves, no transfer of stock in the public funds can be effected but through the agency of a broker:

BRONZE. A compound of copper and tin, with sometimes, the addition of a little zinc and lead.

BULLION. Uncoined gold or silver.

BUOY. A piece of cork, wood, or other light substance, moored, and floating on the water, to indicate the vicinity of a rock, shoal, &c. Buoys are sometimes solid, sometimes hollow, and hooped like a cask.—See *Beacon*.

BURDEN. The burden of a ship is her tonnage, or the number of tons that she will carry.

BUSS. A boat or vessel of from 50 to 70 or 80 tons burthen, employed in the herring-fishery.

CACAO. Sometimes incorrectly written *Cocoa*, which seed is the seed or nuts of the cacao tree, growing in South America, the West Indies, &c. The seeds yield large quantities of oil by expression ; but the tree is cultivated chiefly for the manufacture of chocolate, and for the beverage bearing its name. The best is considered to come from Socomusco ; but the chief importations are from the Caraccas and Guayaquil ; the average price of the former being from 30 to 40 per cent. higher than that of the latter.—See *Chocolate*.

CALAMANCO. A glossy woollen stuff manufactured in England, Belgium, &c.

CALENDER. A machine composed of two or more cylinders, revolving so nearly in contact as to smooth and glaze such cloth as may be passed between them.

CALICO. Cloth made from cotton. It takes its name from Calicut, on the Malabar coast, whence cotton was first imported.

CALICO-PRINTING. The printing or dyeing of cotton cloth in colours; a process in which from 200,000 to 250,000 individuals are considered to be employed, earning from £2,000,000 to £2,500,000 yearly.

CAMBRIC. A fine, thin, white linen fabric, originally made at Cambray, in French Flanders, but now manufactured of equal quality in Lancashire and other parts of the United Kingdom.

CAMELS' HAIR. Imported from the East, and employed in the manufacture of hats, fine pencils for drawing and painting, &c.

CAMLET. Or *Camblet*, a light fabric of long wool, hard-spun.

CAMPHOR. The camphor of commerce is chiefly imported from China; but the best is from Japan. It is produced by boiling the wood of a species of laurel.

CANDLE. A taper composed of wax, spermaceti, tallow, stearine, &c., the wick of which is generally composed of several threads of spun cotton twisted together. The excise duty upon candles was abolished in 1831. In 1825, M. Gay Lussac obtained a patent in England for the manufacture of candles from stearine, which is the solid constituent of fat substances, as of tallow and olive oil, converted into a crystalline mass by saponification with alkaline matter, and absorption of the alkali by an acid. Some years ago Dr. Ure published the following table (re-published in his "Dictionary of Arts, Manufactures, and Mines,") presenting the result of a set of experiments upon the relative intensities of the light, and the duration of different sorts of tallow candles:—

CANALS. Artificial channels for water-carriage. Canals, partly for the purpose of inland navigation, partly for that of irrigation, were constructed in ancient Egypt. The advantages accruing to the commerce of a country from navigable canals, is apparent from the success which has attended them in China, in France, in Holland, in Russia, in the United States, &c., as also in Great Britain and Ireland. It was not, however, until an act of parliament had been passed, in 1755, for improving the navigation of Sankey Brook on the Mersey, that the first attempt at a canal in England, was carried into effect. A lateral canal, of about eleven miles in length, by the line of the Mersey, was then constructed. But before that was finished, the Duke of Bridgewater, who expended a princely fortune in the ultimately successful prosecution of his designs, conceived a plan for internal navigation, independent of natural channels, by carrying canals through mountains, across rivers, &c. The celebrated James Brindley was the Duke's engineer. It was first proposed to cut a canal from Worsley, where the Duke had some rich coal mines, to Manchester, a distance of seven miles; but, before that was completed, it was determined to extend it by a branch, running through Cheshire parallel with the Mersey, and terminating in that river at Runcorn. The object of this was, to afford a new, safe, and cheap mode of communication between Manchester and Liverpool and their respective vicinities. This canal, more than twenty-nine miles in length, was completed in about five years. From Manchester to Liverpool, the price of land carriage was then 40s. per ton; and by the river navigation 12s. per ton: the canal charges were limited by act of parliament to 6s. per ton. The success of this scheme naturally gave birth to others. The Trent and Mersey, or Grand Trunk canal, ninety-six miles long, was begun in 1766, and finished in 1777. "A water communication between Hull and Liverpool was thus completed, and by means of the Staffordshire and Worcestershire canal, which joins the Grand Trunk near Haywood in the former and the Severn near Stour-

port in the latter, the same means of communication was extended to Bristol. A canal was next undertaken from Liverpool to Leeds, 130 miles in length; another from Birmingham to the Staffordshire and Worcestershire canal, joining it near Wolverhampton; and one from Birmingham to Fazeley and thence to Coventry. By canals subsequently undertaken, a communication was formed between the Grand Trunk canal and Oxford, and consequently with London. In 1792 the Grand Junction canal was begun, which runs in a pretty straight line from Brentford on the Thames, to Braunston in Northamptonshire, where it unites with the Oxford and other central canals. It is about ninety miles in length. There is also a direct communication, by means of the river Lea navigation, the Cambridge Junction canal, &c., between London and the Wash. In addition to these, an immense number of other canals, some of them of great magnitude and importance, have been constructed in different parts of the country; so that a command of internal navigation has been obtained, unparalleled in any European country, with the exception of Holland." In Scotland, the great canal to join the Forth and Clyde, begun in 1768, was not finished till 1790. The Union canal, joining this near Falkirk, and running thence to Edinburgh, was finished in 1822. The Crinan canal across the peninsula of Kintyre, receives vessels of 160 tons burthen. The Caledonian canal, stretching across the island, in a south-west direction, from a point near Inverness to another point near Fort William, was executed at the cost of government. It was opened in 1822, and is capable of admitting ships of 1000 tons burthen. In Ireland, the Grand canal, begun in 1756, commences at Dublin, and runs in a westerly direction, a little inclining to the south, to the Shannon. The Royal canal, begun in 1789, runs westward from Dublin to the Shannon, and joins that river near Tormanbury. For fuller particulars of British and foreign canals, with a map of the former, the reader is referred to *M'Culloch's Dictionary of Commerce, &c.*

Number in a Pound.	Duration of a Candle.	Weight in Grains.	Consump- tion per hour in grains.	Proportion of Light.	Economy of Light.	Candles equal to one Argand
10 mould	5h. 9m.	682	132	12 $\frac{1}{4}$	68	5.7
10 dipped	4 36	672	150	13	65	5.25
8 mould	6 31	156	132	10 $\frac{1}{2}$	59 $\frac{1}{2}$	6.6
6 ditto	7 2 $\frac{1}{2}$	1,160	163	14 $\frac{2}{3}$	66	5.0
4 ditto	9 36	1,787	186	20 $\frac{1}{4}$	80	3.5
Argand oil flame			512	69.4	100	

"A Scotch mutchkin," observes Dr. Ure, "or one-eighth of a gallon of good seal oil, weighs 6,010 gr., or 13 one-tenth oz. avoirdupoise, and lasts in a bright Argand lamp eleven hours forty-four minutes. The weight of oil it consumes per hour, is equal to four times the weight of tallow in candles eight to the pound, and three and a quarter times the weight of tallow in candles six to the pound. But its light being equal to that of five of the latter candles, it appears from the above table, that two lbs. weight of oil, value ninepence, in an Argand, are equivalent in illuminating power to three lbs. of tallow candles, which cost about two shilings. The larger the flame is in the above candles, the greater the economy of light."

—See *Lamp*.

CANVAS. Strong cloth of hemp or flax, used for sails for shipping, floor-cloths, and many other purposes. Foreign-made sails, unless in actual use, are subject to an *ad valorem* duty of 20 per cent. Ship-masters are bound to make entry of all their foreign-made sails and cordage, not in use as standing or running rigging, under a penalty of £100.

CAOUTCHOUC. Indian-rubber, the inspissated juice of the *siphonia cahuca* of South America, Java, and many parts of the East and West Indies. It is daily coming more and more into use in various manufactures; rendering cloth impervious to water, and imparting elasticity to bands, braces, garters, &c. Mixed with alcohol, it

solvent of all the resins, especially copal, which it dissolves without artificial heat. It mixes freely with oils, and is excellent for liquefying oil paints.

CAPERS. Pickled buds of a small prickly shrub cultivated in Italy, Spain, and the South of France. They are subject to an import duty of sixpence per lb.

CAPIAS. 1. A writ or process in the Court of Common Pleas, called *capias ad respondendum*, before judgment, where an original is sued out, or presumed to have been sued out; commanding the sheriff to take the body of the defendant, if he may be found in his bailiwick or county, and him safely to keep, so that he may have him in court on the day of the returns, to answer to the plaintiff of a plea of debt, trespass, &c. 2. A writ of execution, after judgment. This is of divers kinds; as, *capias ad satisfaciendum*, (or *Ca. Sa.*), *capias utlagatum*, &c. The *Ca. Sa.* is a judicial writ of execution, where there is a recovery in the courts of Westminster, of debt, damages, &c. By this writ the sheriff is commanded to take the body of the defendant, to satisfy, &c. The *capias utlagatum* is a writ against a person who has been outlawed.

CAPITAL. Amount of money employed in any particular undertaking.

CAPTION. In law, the word used for an arrest. Also, that part of a legal instrument, as an indictment, commission, &c., which shows where, when, and by what authority it is taken, found, or executed.

CARD. A sort of comb employed to disentangle the fibres of cotton, wool, &c., to arrange them in a lap of fleece, and thus prepare them for being spun into regular threads. Also a fine pasteboard used for many purposes. Mr. Dickenson's patent machine for card-cutting, has a pair of rollers with circular revolving cutters, the edges of which act against each other as circular shears, and thus cut the pasteboard into cards of any required size. Playing cards must not be made in any part of Great Britain except London; nor in Ireland, except in Dublin and Cork. To sell, or expose to sale, any pack of cards not duly stamped, subjects a licensed maker to a penalty of

£50., and any other person to a penalty of £10. Any person having in his possession, using, or permitting to be used, any pack of cards not duly stamped, to forfeit £5. Second-hand cards may be sold by any person, if sold without the wrapper of a licensed maker; and in a wrapper with the words "*Second-hand Cards,*" printed or written in distinct characters. If sold otherwise, penalty £20.

CARMEN. The carmen of the city of London are a fellowship by act of common council; and the charges which they are allowed to make, and the rules to which they are subject, are settled at the quarter sessions. In other respects they are under the control of the president and governors of Christ's Hospital, to whom the owner of every cart pays a yearly license duty of 17s. 4d. Carmen are to assist in loading and unloading their carts. If any carman extort more than the regular rates, he is liable, on conviction before the Lord Mayor or any two magistrates, to imprisonment for twenty-one days. If any person refuse to pay a carman his hire, according to the established rates, the president of Christ's Hospital, or a justice of the peace, is empowered to compel payment. Persons may select what cart they please, except such as stand for wharf-work, tackle-work, crane-work, at shops and warehouses, which are to be taken in turn. Every carman standing with his empty cart next to any goods to be loaded, shall, upon the first demand, load the same for the accustomed rates. If any person shall cause a carman to attend at his house, shop, warehouse, or cellar, with his loaded cart, the carman being willing to help to unload the same, he shall pay the carman at the rate of 1s. for every hour after the first half-hour for his attendance. Every licensed carman must have a brass plate fixed upon his cart, on which is to be engraven a certain number, which number, with the carman's name, is registered at Christ's Hospital; so that, in case of misbehaviour, the aggrieved party, by taking notice of the number of the cart, may obtain redress. Carmen acting in violation of these rules, may be suspended from their employment. Carmen riding upon the shafts of their carts, or sitting

within them, not having some person on foot to guide the horses, are liable to a penalty of 10s.

CARPETS. Thick woollen fabrics of variegated colours, for covering the floors of rooms. The art of carpet making originated in Persia and Turkey, the products of which are still of high repute. In England, carpets are extensively manufactured at Axminster, Kidderminster, Wilton, Cirencester, Worcester, &c., and in Scotland at Kilmarnock. France and Belgium also excel in carpet making.

CARRIERS. Owners and masters of ships, hoymen, bargemen, lightermen, ferrymen, proprietors of stage-coaches, wagons and carts, &c., who undertake to carry goods from one place to another for hire, are common carriers. They are bound to receive and carry the goods of all persons, for a reasonable hire or reward; to take proper care of them in their passage, to deliver them safely, and in the same condition as when received (excepting only such losses as may arise from the act of God, such as lightnings, storms, or tempests, and the king's or queen's enemies); or, in default thereof, to make compensation to the owner for whatsoever loss or damage the goods may have received while in their custody, that might have been prevented. Hence a carrier is liable though robbed of the goods, or though they may have been taken from him by irresistible force. No wagon-man, carman, or wain-man, with his carriage, shall travel on a Sunday, under a penalty of 20s. In some cases a carrier's reward is regulated by the legislature, in others, by a special stipulation between the parties; but, though there may be no legislative provision or express agreement, he cannot claim more than a *reasonable* compensation. If a carrier open a parcel and take goods out of it with intent to steal them, it is felony; if goods be delivered to a carrier, to be carried to a specified place, and he carry them to a different place, and dispose of them for his own profit, he is guilty of felony; but the embezzlement of goods by a carrier, without a felonious taking, merely exposes him to a civil action. Carriers are liable for the felonious acts of their servants, and their own misfeazance or gross

negligence. The mis-delivery of a parcel, or its non-delivery within a reasonable time, is a misfeazance that cannot be defeated by any notice on the part of the carrier limiting his responsibility. The sending of a parcel by a different coach from that directed by the booker, or the removing it from one carriage to another, is a misfeazance. If a parcel be directed to a person at a particular place, and the carrier, knowing such person, deliver the parcel to another, who may represent himself as the consignee, such delivery is gross negligence. Ship-owners are not liable for any loss or damage happening to goods on board through the fraud or neglect of the masters, without their knowledge or privity, further than the value of the vessel and the freight occurring during the voyage. Until the act of 1830, (1 Will. 4, c. 68.) a carrier might, by express stipulation, giving public notice to that effect, discharge his liability from all losses by robbery, accident, or otherwise, excepting those which arise from misfeazance and gross negligence, and provided the notice did not contravene the express conditions of an act of parliament. This led to much fraud and litigation. By the act alluded to, it was declared, that carriers by land shall not be liable for the loss of certain articles specified in the act; money, notes, jewellery, deeds, lace, &c., when their value might exceed £10., unless the nature and value of such articles were stated at the time of their delivery to the carrier, and an increased charge paid on the same; also, that no publication of any notices by carriers should have power to limit their responsibility at common law, for all other articles, except those specified in the act. A carrier's liability commences from the time the goods are actually delivered to him, or to his servant or representative, in the character of a carrier. His liability ceases when he vests the property committed to his charge, in the hands of the consignee or of his agents, by actual delivery; or when the property is resumed by the consigner, in pursuance of his right of stopping it *in transitu*. The leaving of goods at an inn is not a sufficient delivery. A carrier has a lien upon goods for his hire. Even should

the goods have been stolen, the rightful owner is not to have them without paying the carriage.—See *Coach*, *Stage*, and *Parcels*.

CARTS. According to Act 1 & 2 Will. 4, c. 22, every cart, wagon, &c., for the carriage of any thing to and from any place where the streets are paved, within the bills of mortality, or within five miles of the General Post Office, must have the name, surname, and place of abode of the owner painted in conspicuous letters, at least one inch in height on the right or off side thereof, under a penalty of £5. Every such cart, &c., must contain not less than six inches in the felloe of the wheel.

CASE. In law, the statement of the particulars of a plaintiff's claim, or of a defendant's answer to it, with an examination of the witnesses on either side.

CASH. Ready money, coin, and all immediately negotiable paper. Prompt payment.

CASH ACCOUNT. An account to which cash is carried on one hand, and from which all disbursements are drawn on the other.

CASHMERE. Or cachemire, a fine textile fabric, first imported from the kingdom of Cashmere, but now satisfactorily imitated in both England and France. Cashmere shawls are made from the downy wool which is found about the roots of the hair of the Thibet goat.

CASTOR OIL. An oil expressed from the seeds of the *Palma Christi*, a tree of South American and West Indian growth ; cultivated also in Spain, Italy, and France. In medicine, castor oil is a well-known cathartic. It is used as an oil for the hair.

CAVEAT. A notice entered at the Patent office, to prevent any person from taking out, for a certain time, a similar patent to the one specified. Also, a process in the Spiritual Court to stop the institution of a clerk to a benefice, or probate of a will, &c.

CAVIAR. The salted roe of sturgeon, &c., prepared chiefly in Russia.

CAUSE. The matter brought before a court of law for trial.

CAYENNE. See *Chillies*.

CERTIFICATE. A bankrupt who has surrendered, and conformed in all things to the provisions of the bankrupt laws, is entitled to a certificate, by which he is discharged from all debts and demands proveable under the commission; but this does not discharge his partner, or one jointly bound, or in joint contract with him, nor does it bar a debt due to the crown. The bankrupt must make oath that the certificate was obtained without fraud; and any creditors may be heard before it is finally allowed by the Lord Chancellor. Any contract or security given to obtain signatures to a certificate is void.—See *Bankrupt*.

In the customs, no goods may be exported on certificate, except foreign goods formerly imported, on which the whole or a part of the customs' duties paid on importation is to be drawn back. *Vide* 3 & 4 Will. 4, c. 52. § 68.

To entitle the importers of coffee, cocoa, sugar, spirits, &c., from any British plantation, to get them entered as such, also blubber, and wine from the Cape of Good Hope, and sugar from the limits of the East India Company's charter; certificates of origin, subscribed by the proper officers of the places where the goods were shipped, are required.

CERTIORARI. An original writ, issued out of the Court of Chancery, or King's Bench, directed in the king's or queen's name, to the judges or officers of the inferior courts, commanding them to certify or return the records of a cause depending before them.

CHAIN. A measure of length, consisting of a specific number of links. Gunter's chain is composed of 100 links, each link measuring $7\frac{8}{100}$ inches, equal to four poles, or 66 feet.

CHALDRON. The Newcastle coal chaldrone is 53 cwt., or just double the London chaldrone: in the latter there are 12 sacks, or 36 bushels. The coal bushel is eight inches deep, and $19\frac{1}{4}$ inches wide from the outside. It contains 2,217.6 cubic inches; or, when heaped, 2,815.5, making the chaldrone 58.65 entire feet. If five chaldrons be purchased at the same time, the seller is bound to

deliver 63 sacks ; the three additional sacks are called the *ingrain*. However, coal is now sold in London, and in many other places, by the ton of 20 cwt.—See *Coal*.

CHALLENGE. An exception taken by a prisoner, or other party in a trial, against one or more jurors, who when challenged, are set aside, if the challenge be allowed, and new ones sworn in their places.

CHAMPARTY. The offence of unlawfully maintaining a suit in consideration of a bargain for a part of the thing in dispute, or some profit out of it.

CHANCELLOR. An officer of the highest dignity and authority in various public establishments. The Lord High Chancellor is the person next the sovereign in matters of state and justice ; having the power, in the Court of Chancery, to moderate the law according to equity. His decrees, however, may be reversed by the House of Lords, over which he presides by virtue of his office.

The Chancellor of the Exchequer is the officer who has the custody and control of the funds of the royal or public exchequer.

The Chancellors of the Duchy of Lancaster, and all other duchies, are the chief judges of their several courts, and determine all controversies relative to duchy lands, &c.

The Chancellors of the Universities have similar powers within their jurisdictions.

CHANCERY. The Court of Chancery, the highest court of judicature in the kingdom, next to the High Court of Parliament, and of very ancient origin, is termed a Court of Equity, because it was instituted for the purpose of proceeding by the rules of equity and conscience, and of moderating the rigour of the common law : the intention being considered rather than the *words of the law* ; *equity* being the correction of that wherein the *law*, by reason of its universality of application, may be deficient. The Court of Chancery, however, is not intended to act *in opposition to*, but *in assistance of*, the common law; supplying its deficiencies, not contradicting its rules; for no judgment of law is reversible by a decree in Chancery.

CHANCE-MEDLEY. The accidental killing of a person, not altogether without the fault of the offender, but without malice prepense.

CHART. A chart, or hydrographical map, is to some part of the sea what a map is to a portion of land. There are plain and globular charts, and charts on Mercator's projection.

CHARTER. A written record of things done between parties; also, letters patent from a king or queen, wherein privileges are granted to corporations, public companies, &c.

CHARTER-PARTY. The instrument of freightage, or articles of agreement, for the hire of a vessel. It is in commercial law, what an indenture is at common law. It is generally under seal; but sometimes a written or printed instrument, called "a memorandum of a charter party," is signed by the contracting parties; and this, if a formal charter-party be not afterwards executed, is binding. In either case the instrument is chargeable with a stamp-duty of £1. 15s., and a progressive duty of £1. 5s. for every entire quantity of 1,080 words above the first 1,080 words.

CHATTELS. Personal property; i. e. money, goods, and moveables in general.

CHECK. A check, cheque, or draft, is an order directing the party to whom it is addressed to pay a certain sum to the bearer, on demand. It is assignable by delivery only; and payable on presentment within a reasonable time. Checks drawn on bankers residing ten miles or more from the place where they are drawn, must be on a stamp of the same value as for a bill of exchange of equal amount; but checks drawn on bankers within ten miles of the place whence they are issued, may be on plain paper.

CHILLIES. Fruit or pods of the *capsicum annuum*, Guinea, or Cayenne pepper; a hardy and productive plant of tropical climates. The pods are imported either dry and entire, or reduced to powder; the powder, when unadulterated, is of a deep brownish red colour. The best

Cayenne pepper is made in the West Indies, from the *capsicum baccatum*, or bird-pepper. Cayenne pepper is frequently adulterated with the red oxide of lead, muriate of soda, &c.

CHINTS. Chints, or chintz, is a description of fast-printed calico, on a light ground; originally obtained from the East Indies, but now extensively manufactured in England and other parts of Europe.

CHOCOLATE. A sort of nutritious cake, or confection, prepared chiefly from the cacao nut, and of very ancient use in Mexico, whence it was introduced into Europe by the Spaniards in the sixteenth century. In addition to the cacao nut, the Spaniards use sugar, vanilla, maize, cinnamon, &c., in the preparation. The quantity of foreign chocolate imported is small. Much of the English-made chocolate is said to be adulterated with Castile soap and starch.—See *Cacao*.

CHURCHWARDENS.—Officers annually chosen to superintend the church, churchyard, and such things as relate to them; and to take cognizance of the behaviour of the parishioners and their parochial interests.

CIGARS. Havannah cigars are in most repute. Formerly they were contraband, but may now be imported on payment of duty of 9s. per lb. The Hon. C. A. Murray, in his account of a visit to Cuba and the Azores Islands, states, that at Cuba, “the greatest manufacturers are Cabanos, Hernandez, (known to the smoking world under the *nom de guerre* of *Dos Amigos*,) Silva, and Ren-cureuil, who exports chiefly to Holland and France: but besides these there are hundreds of manufacturers, who make from one to ten thousand per day. The cigar is composed of two distinct parts, called here the ‘tripas’ or ‘inside,’ and the ‘capa’ or ‘cover;’ for these two different kinds of leaves are used, of which the latter is generally finer in texture as well as more pliant. Those leaves which are to be made up on Tuesday are damped on Monday evening, and allowed to remain so all night, and when rolled, they are placed on a large table, where they are divided into the various qualities of first, second,

third, &c., and priced accordingly. Those which are most carefully and beautifully rolled, are called 'regalias,' and are sold at twenty-two, twenty-three, or twenty-six dollars a thousand; while the second best, which are of the very same tobacco, and made by the same man, (only with a little less attention to symmetry of form,) are sold at fourteen dollars; others again at twelve dollars, and some as low as six dollars: these last, do not find their way to England, as the duty would amount to more than the prime cost. D. Hernandez (*Dos Amigos,*) employs about fifty men in his manufactory. Of the best common cigars, a good workman can make a thousand in a day; of the regalias, six hundred; so that the daily issues from this immense *fabrica*, are about 30,000 cigars, which, at fourteen dollars per thousand, would give nearly £100. a day. They pay an export duty of half a dollar per thousand, and an import in England of 9s. Allowing for freight and insurance, twenty per cent. profit to the importer, and twenty more to the retailer, the best Havannah cigars should be sold in London at £5. per thousand, which is 18s. per lb., or about one penny farthing apiece, instead of which they are generally charged 30s. to 40s., and sometimes 60s. per lb., and from threepence to sixpence apiece."—See *Tobacco*.

CINNAMON. The inner bark of the *laurus cinnamomum*, a native of Ceylon, Cochin-China, Sumatra, Java, &c. From its high price, very little is retained for home consumption in this country. *Cassia lignea* is frequently substituted for the true cinnamon, which it resembles in flavour. "Good cinnamon," says Dr. Ure, "should be as thin as paper, have its peculiar aromatic taste, without burning the tongue, and leave a sweetish flavour in the mouth." Until some time after the transference of the island of Ceylon from the East India Company to the king's government, the growth of cinnamon there was a monopoly. It is now subject to an export duty of 3s. per lb., from Ceylon, and sixpence per lb. import duty at the Custom-house. In the London market, cinnamon is usually divided into three sorts, or qualities, varying in price.

CINQUE-PORTS. These ancient trading towns, on the coast of Kent and Sussex, were formerly five : Hastings, Dover, Romney, Hythe, and Sandwich ; whence their denomination. Rye and Winchelsea, however, have since been added. The charters of the Cinque Ports have been traced to the time of Edward the Confessor ; and they have been confirmed by William I, and by subsequent monarchs. The Conqueror, considering Dover Castle as the key of England, gave the charge of the adjacent coast, with its shipping, &c., to the constable of Dover castle, with the title of Warden of the Cinque Ports. "There is an exclusive jurisdiction in the Cinque Ports, (before the mayor and jurats of the ports,) into which exclusive jurisdiction the king's ordinary writ does not run ; that is, the court cannot direct their process immediately to the sheriff, as in other cases." The process must be directed to the constable of Dover Castle, his deputy, or lieutenant. — *Vide Chitty's Commercial Law*, vol. 2, p. 12.

CLEARING, CLEARING HOUSE. Amongst London bankers, "clearing" is an expedient adopted for exchanging the drafts on each other's houses, and settling the differences. By this plan, transactions are settled to the extent of many millions a day, by the employment of not more, upon an average, than from £200,000 to £300,000 in cash or bank notes. "At half-past three o'clock," says the author of the *Cambist*, "a clerk from each banker attends at the clearing-house, where he brings all the drafts on the other bankers which have been paid into his house that day, and deposits them in their proper drawers, (a drawer being allotted to each banker) ; he then credits their accounts separately with the articles which they have against him, as found in the drawer. Balances are then struck from all the accounts, and the claims transferred from one to another, until they are so wound up and cancelled, that each clerk has only to settle with two or three others, and their balances are immediately paid. Such drafts as are paid into a banker's too late for clearing, are sent to the houses on which they are drawn, to be *marked*, which is under-

stood as an engagement that they will be paid the next day."

CLERK. A person whose chief occupation is writing, in a counting house, court of law, &c. Also, in the church, a clergyman, or person in holy orders.

CLIENT. A party to a proceeding at law, or equity, is called, by his solicitor, his client.

CLOVES. Cups of the unopened flowers of the *caryophyllus aromaticus*, or clove-tree, a native of the Moluccas. The best cloves, from the French *clou*, a nail, which they resemble in form, are imported from the Dutch settlements, in chests, subject to an import duty of 3s. per lb. The inferior sorts are brought over in bags. Largeness of size, darkness of colour, and perfection in form, indicate the finest quality. They ought also to have a strong, fragrant, aromatic odour, and a permanently hot, acrid, aromatic taste.

COAL. Mineralogists divide coal into three great families: black, uninflammable, and brown; each of these being subdivided into numerous subordinate species; of which about seventy are imported into London, and forty-five of them derived from Newcastle. The great coal deposits of England are in Northumberland and Durham, whence the metropolis and the greater part of the south of England are supplied; in Cumberland, whence large quantities are sent to Ireland; and in Derbyshire, Staffordshire, Yorkshire, Lancashire, Warwickshire, South Wales, &c. The Lothians, Ayrshire, Renfrewshire, Lanarkshire, &c., supply Scotland. In Ireland, coal is deficient in quantity and poor in quality compared with that of Britain. The annual consumption of coal in Great Britain, has been estimated at 15,580,000 tons. In the north-country and London departments alone, of the coal trade, from 45 to 46,000 persons are thought to be employed; and, in the aggregate, from 160,000 to 180,000. The capital employed on the Tyne amounts to about £1,500,000, exclusive of the craft on the river; and the total capital of the coal trade is thought to be not less than from 8 to £10,000,000. According to some estimates, the coal fields

of Northumberland and Durham alone are adequate to furnish the present annual supply for 1,700 years; and those of South Wales for 2,000 years. Formerly, all coals imported into the Thames were sold by measure, not by weight: the duties and other charges in the port of London, amounted to 14*s.* 4*d.* per chaldron; and the entire charges on account of the delivery of coal from the ship to the consumer, amounted to 14*s.* 8*d.* The advantage of purchasing coal by weight instead of by measure—by the ton instead of the chaldron—is shown by Dr. Hutton's statement. “If one coal, measuring exactly a cubic yard (nearly equal to five bolls) be broken into pieces of a moderate size, it will measure 7*½* bolls; if broken very small, it will measure 9 bolls; which shows that the proportions of the weight to the measure depends upon the size of the coals; therefore, accounting by weight is the most rational method.” The sale of coal by weight, and the abolition of the metage system, have eradicated some of the more flagrant abuses that infested the trade; but, without trenching upon the profits of the honest coal dealer, which are far from large, much remains to be done to render justice to the consumer.

The regulations as to sale in London, are as follows:—A seller's ticket is to accompany all coal sold within the city of London and its environs, specifying the species of coal, and the number of sacks and weight of coal sent. The coal may be either in bags containing one or two cwt., or in bulk. The carman is in all cases bound to carry a weighing machine with the coal, which machine is to be made conformably to regulations; and, upon being desired, he is to weigh any one sack, or the whole of the sacks, in his cart or wagon. Penalty on refusing to weigh, or otherwise obstructing the weighing, £20. Penalty on non-delivery of ticket to purchaser, £20. In the event of the weight being deficient, a penalty is imposed of £10. or £50., according to deficiency. Quantities of less than 560 lbs., may be sold without being weighed.

Formerly, a duty of 17*s.* 6*d.* per chaldron was laid on all large, and of 4*s.* 6*d.* per chaldron on all small coal

exported. The duty on coal exported in English ships, has been repealed; and the duty on all descriptions of coal exported in foreign ships, has been reduced to 4s. per ton.

COASTING TRADE. Traffic carried on by sea between two or more places in the same country. The act 3 and 4 Will. 4, c. 52, is the chief regulating act with regard to the coasting-trade.

COCKET. A scroll of parchment sealed and delivered by the officers at the Custom-house to merchants, as an assurance that their merchandises have been regularly entered.

COCCELLA INDICA. A small blackish, kidney-shaped berry, of inebriating and poisonous properties, from the Malabar coast, &c. Having been employed for the adulteration of malt liquor, its use is prohibited under a penalty of £500. upon the seller of the drug, and £200. upon the brewer. If thrown into ponds, &c., it will intoxicate and kill the fish.

COCHINEAL. Extensively used in the art of dyeing. This is a valuable and important article in commerce. It is a small insect, reared with great care in Mexico, some of the West India Islands, &c. A pound is estimated to contain 70,000 of these insects in their dried state. There are, however, two sorts, or varieties: the cultivated, called *grana fina*, or fine grain; and the wild, or *grana sylvestra*; the latter scarcely half so large as the former. The importation is in bags of about 200 lbs. each. The import duty on foreign cochineal is 6d. per lb., on that from British possessions, 2d. According to Dr. Bancroft, the best cochineal is "large, plump, dry, and of a silver white colour on the surface."

COCOA. Cocoa, coco, or coker nuts, are the fruit of a species of palm-tree common to tropical regions, and attaining the height of from 40 or 50 to 80 or 90 feet in height. By boring the body of the tree, a pleasant white liquor, called toddy, or palm wine, exudes. The produce of the tree is employed for various purposes: the fruit, nearly as large as the human head, has a thin, tough, ex-

ternal rind, of a brownish red colour, beneath which is a quantity of tough fibrous matter, which, spun into yarn, is afterwards manufactured into cordage, coarse sail-cloth, &c. It is also used as stuffing for mattresses, beds, &c. Susceptible of a beautiful polish, the shell of the nut itself is used for many domestic purposes. When ripe, the kernel is nutritious, but somewhat difficult of digestion. Within the kernel is a quantity of delicious fluid, usually termed milk. The palm wine yields a considerable quantity of sugar; and when distilled, it constitutes the finest arrack. Much oil is obtained from the kernels by expression; which oil, in a purified state, is used in lamps, and employed in the manufacture of candles and soap.

COD. The chief British cod fishery is carried on upon the fishing banks of Newfoundland; the average annual exports from which—including cod, seal, salmon, &c.—is estimated at upwards of half a million sterling. Next to the Newfoundland British fishery, is that upon the coast of Labrador. There is also considerable fishery carried on from the coasts and harbours of Nova Scotia and Cape Breton, New Brunswick, &c. It is understood that about four-fifths of the dried fish exported by British subjects from Newfoundland, are sent to Italy, Spain, Portugal, and other parts of the Continent; and the remainder to Britain and the West Indies. For the regulations respecting the Newfoundland fisheries, *vide Act 5 Geo. 4, c. 51.* France and the United States participate largely in the cod fishery.

CODICIL. An addition made to a will, or a supplementary paper, bequeathing property, or explaining or altering some of the bequests contained in the will.

COFFEE. The quality and value of coffee, according to its place of growth, are estimated as follows:—Mocha, Jamaica, Dominica, Berbice, Demerara, Bourbon, Java, Martinique, Hayti, &c. The berries are of an oval form, smaller than a horse-bean, tough, close, and hard in texture; convex on one side, flat on the other, with a longitudinal furrow on the flat side. The best are of a greenish light olive hue. They should be chosen fresh

and new, clean and plump, and of a small rather than a large size. Coffee is subject to deterioration by imbibing exhalations from other bodies. The contact, or near vicinity of sugar is, in this respect, particularly objectionable. A few bags of pepper on board of a ship from India, have been known to spoil a whole cargo of coffee. Coffee improves by keeping, but should never be ground till immediately before infusion. It is so frequently adulterated with succory, beans, roasted corn, &c., that unless from houses of the first respectability, it should never be bought, otherwise than in an unground state. Coffee may not be imported in packages of less than 100 lbs. nett weight. No abatement of duties is allowed on account of damage. Dealers in coffee must take out a license annually, cost 11s. The history of the coffee trade affords abundant proof of the advantage of low over high duties. In 1660, about eight years after its first introduction in this country, a duty of 4d. per gallon was laid on all coffee made and sold. Previously to 1732, the duty was 2s. per lb.; it was then reduced to 1s. 6d., and produced about £10,000. a year. Still the duty was too high, as, through smuggling, the produce had, in 1783, fallen below £3000. In 1784, the duty was reduced to 6d. per lb., when the produce immediately rose in the proportion of nearly three to one, showing that the consumption of legally imported coffee had increased in about a nine-fold proportion. "In 1807," observes M'Culloch, "the duty was 1s. 8d. per lb., and the quantity entered for home consumption amounted to 1,170,164 lbs., yielding a revenue of £161,245. 16s. 4d. In 1808, the duty was reduced from 1s. 8d. to 7d.; and in 1809, there were no fewer than 9,251,847 lbs. entered for home consumption, yielding, notwithstanding the reduction of duty, a revenue of £245,856. 8s. 4d. The duty having been raised, in 1819, from 7d. to 1s. per lb., the quantity entered for home consumption, in 1824, was 7,993,041 lbs., yielding a revenue of £407,544. 4s. 3d. In 1824, however, the duty being again reduced from 1s. to 6d., the quantity entered for home consumption, in 1825,

was 10,766,112 lbs.; and in 1831 it had increased to 22,740,627 lbs., yielding a nett revenue of £583,751." However, 3d. per lb. more was paid on the coffee of our eastern dominions, when imported for home consumption, than on that imported from the West Indies. This injurious distinction was put an end to by the 5th and 6th of Will. 4, c. 66, which enacted that coffee, the produce of British possessions within the limit of the East India Company's charter and of Sierra Leone, should pay, when entered for home consumption, a duty of only 6d. per lb. This gave another salutary impetus to the coffee trade; and, since the enactment referred to, the annual consumption of the United Kingdom may be estimated at from 23 to 24,000,000 lbs., producing a revenue of considerably more than £600,000.

With reference to infusions of coffee for the table, Dr. Ure observes that he has found no apparatus "so good as a *cafe-lière à la Belloy*, the coffee *biggin*, with the perforated tin plate strainer, especially when the filtered liquor is kept simmering in a close vessel, set over a lamp or steam pan. The useful and agreeable matter in coffee," as he justly adds, "is very soluble; it comes off with the first waters of infusion, and needs no boiling."

COGNOVIT. A *Cognovit Actionem* is an instrument by which a defendant *acknowledges* the plaintiff's cause against him to be just and true; and, either before or after issue, suffers judgment to be entered against him without trial.

COIF. A title held by sergeants at law, who are called "Sergeants of the Coif," from the lawn coif they wear on their heads, under their caps, when they are created.

COINS. The metallic money or currency of a country—generally gold, silver, or copper—stamped, and, in most instances rendered legal tender in the payments of debts, &c. The coins of all countries seem originally to have borne the same denomination as the weights to which they correspond, and to have contained the precise quantity of the respective metals they indicated. For

instance, the "talent" was a weight used by the ancient Greeks; the "as" or "pondō," by the Romans; the "livre" by the French; and the "pound" by the English and Scotch; and the coins first in use amongst those respective nations were known by those names; and their weight, as "talents," "pondos," "livres," and "pounds," was in exact accordance with those denominations. The standard, however, whether in purity or in quantity, was not always preserved inviolate. In England it has been less departed from than in any other country; yet, even here, the quantity of silver in twenty shillings or a pound sterling, is less than the third part of a pound, troy weight, the quantity which it contained in the year 1300.

The present standard, or degree of purity, of our gold coins is 11 parts of fine gold and 1 part alloy. The sovereign contains 113.001 grains of fine gold, and 123.274 grains of standard gold. The pound Troy of standard gold, is coined into 46.¹⁸₁₅ sovereigns, equal to £46. 14s. 6d.; consequently, the mint, or standard price of gold is £46. 14s. 6d. per lb. Troy, or £3. 17s. 10 $\frac{1}{2}$ d. per ounce.

From the year 1600 to 1816, the Troy pound weight of standard silver bullion—consisting of 11 oz. 2 dwts. of pure silver, and 18 dwts. of alloy—was coined into 62 shillings. In the latter year, however, it was enacted, that the pound of silver should be coined into 66 shillings; the surplus 4 shillings to be retained by government, as a seignorage or duty, amounting to 6 $\frac{1}{4}$ per cent. upon the coinage. In the same year it was also enacted, "that gold coins only should be legal tender in all payments of more than 40s." Each of our present shillings contains 80.727 grains of fine silver, and 187.27 grains of standard silver; and the "money pound" of 20s. contains 1614.545 grains of pure silver, and 1745.454 grains of standard silver.

From the Norman conquest to the present time, excepting from 1542 to 1559, all our English silver money has been coined out of silver of 11 oz. 2 dwts. fine silver, and 18 dwts. alloy.

Formerly, the exportation and importation of gold and silver coins was prohibited ; but, in 1819, all prohibition was annulled. For the law, as it now stands, relative to the counterfeiting of coin, &c. see the 2d and 3d of Will. 4, c. 34.

As a knowledge of the relative value of foreign coins is important to commercial men, as well as to travellers, we shall here, for easy and immediate reference, and avoiding minute fractions, subjoin *Thirty Tables of the different Coins in circulation amongst the principal Nations with which England has intercourse, with their Weight in Penny-weights and Grains, and their Corresponding Value in English Money.*

I. FRANCE.

The money unit in France is the *franc*, which, according to the decimal system—a system that ought to be universally adopted—is divided into 100 parts, called *centimes*. In government accounts and legal deeds, all sums must be expressed in *francs* and *centimes*; but amongst the people, and in the purchase of goods by retail, the denomination of *sou* is still in use. No confusion arises from this practice, because the *sou* is a multiple of the *centime*; that is, there are 20 *sous* to the *franc*, and each *sous* contains five *centimes*. The two *sous* piece may also be called a *decime*, or the tenth of a *franc*. Besides the new coinage which was issued under the republic, under the empire of Napoleon, and since the restoration, the old coinage is still in circulation; but there is very little of it extant. There is also in France a coin composed of copper and silver, in the proportion of four to one, called *billon*, and denominated by the people, *monnaie grise*. Previously to the Revolution, there were of this mixture, pieces of *six liards* (the *sou* being divided into four *liards*) and of *two sous and a half*, called *pieces of six blancs*. Few of this value are now extant, but there are pieces of *two sous*, called *decimes*.

NEW COIN.—GOLD.

<i>National Denominations.</i>	<i>Dwts.</i>	<i>Gr.</i>	<i>English Value.</i>
	<i>£</i>	<i>s.</i>	<i>d.</i>
20 Franc piece	4	3½	0 15 10½
40 —	8	7	1 11 8½

SILVER (ARGENT BLANC.)

5 Franc piece	16	1	0 4 0
2 —	6	11	0 1 7
1 —	3	5½	0 0 9½
½, or 50 Centimes	1	15	0 0 4½
¼, or 25 Centimes	0	18½	0 0 2½

BILLON (MONNAIE GRISE.)

Piece of 0 or 10 Centimes	0	0 0 4.80
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COPPER, OLD AND NEW.

Décime, or 2 Sous	0	0 0 4.80
Sou, or 5 Centimes	0	0 0 4.80
Sou, or 1 Centime	0	0 0 4.80

VALUE OF THE OLD COIN IN FRANCS.

	<i>Livres.</i>	<i>Fr.</i>	<i>C. Dwts.</i>	<i>Gr.</i>	<i>£</i>	<i>s.</i>	<i>d.</i>
Louis of	24 = 23	55	4	22	0	18	8½
Double	48 = 47	29	9	20	1	17	4½
<i>SILVER.</i>							
Ecu, or piece of	6 = 5	80	18	18	0	4	7½
Petit écu, or do.	3 = 2	75	9	9	0	2	2½
Piece of	24 sous =	1	0	3	0	0	9½
Do.	12 sous =	0	50	1	22	0	0 4½
Do.	6 sous =	0	25	0	23½	0	0 2½
Do.	30 sous =	1	50	6	12	0	1 2½
Do.	15 sous =	0	75	3	6	0	0 7½

II. SPAIN.

GOLD.

Doubloon of 8 Crowns, 1772 to 1786	17	9	3	6	7
— 4 Crowns	8	16½	1	13	3½
— 2 Crowns	4	8½	0	16	7½
Half-pistole, or Crown	2	4½	0	8	3½
Doubloon of 8 Crowns since 1786	17	9	3	4	8
— 4 Crowns	8	16½	1	12	4
— 2 Crowns	4	1½	0	16	2
Half-pistole, or Crown	2	4½	0	8	1

SILVER.

<i>National Denominations.</i>	<i>Dwts.</i>	<i>Gr.</i>	<i>English Value.</i>		
			<i>s.</i>	<i>d.</i>	
Piaster, since 1772	17	8	0	4	3½
Real of 2, or Peseta, or one-fifth of a Piaster	3	18	0	0	10½
Real of 1, or Half Peseta, or one-tenth of a Piaster	1	21	0	0	5½
Reallillo, or one-twentieth of a Piaster	0	22½	0	0	2½

These three last coins have currency in the Peninsula only.

III. PORTUGAL.

GOLD.

Lisbonine, or Moidore of 4800 reis	6	22	1	6	11½
Half ditto of 2400 reis	3	11	0	13	5½
Quarter ditto of 1200 reis	1	17½	0	6	8½
Portuguese, or Moiadobra of 6400 reis	9	5½	1	15	11
Half Portuguese of 3200 reis	4	14½	0	17	10½
Piece of 16 Testons, or 1600 reis	2	7½	0	8	11½
Do. of 12 Tes. or 1200 reis	1	17½	0	6	4½
Do. of 8 Tes. or 800 reis	1	3½	0	4	5½
Cruzada of 480 reis	0	16½	0	2	7½

SILVER.

New Cruzada of 480 reis	9	1	0	4	11
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IV. THE NETHERLANDS AND BELGIUM.

GOLD.

Ducat	2	5½	0	9	5½
Ryder	6	10½	1	5	1½
20 Florins, 1808	9	7½	1	14	2½
10 Florins	4	15½	0	17	1½
10 Williams, 1818	4	7½	0	16	5½

SILVER.

Florin	6	22	0	1	8½
Escalin (6 Sous)	3	4½	0	0	6
Ducaton, or Ryder	20	22	0	5	5
Ducat, or Rix-dollar	18	6	0	4	4

The Florin is divided into 20 sous, and the sou into 5 cents.

V. RUSSIA.

GOLD.

Ducat from 1755 to 1763	2	5½	0	9	4½
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<i>National Denominations.</i>	<i>Dwt.</i>	<i>Grs.</i>	<i>English Value.</i>		
	2	5 $\frac{1}{4}$	£	s.	d.
Ducat of 1763	2	5 $\frac{1}{4}$	0	9	2 $\frac{1}{4}$
Imperial of 10 Roubles, from 1755 to 1763	12	19	2	1	6 $\frac{1}{4}$
Half ditto	6	9 $\frac{1}{2}$	1	0	9 $\frac{1}{4}$
Imperial of 10 Roubles since 1763	7	17 $\frac{1}{4}$	1	12	9
Half ditto	3	20 $\frac{1}{2}$	0	16	4 $\frac{1}{2}$

SILVER.

Rouble of 100 Copecks from 1750 to 1762	18	1	0	3	7 $\frac{1}{4}$
Ditto from 1763 to 1807	15	10	0	3	2

VI. SWEDEN.**GOLD.**

Ducat	2	5	0	9	3 $\frac{1}{4}$
Half ditto	1	2 $\frac{1}{2}$	0	4	7 $\frac{1}{4}$
Quarter ditto	0	13 $\frac{1}{4}$	0	2	3 $\frac{1}{4}$

SILVER.

Rix-dollar of 48 Shillings, from 1720 to 1802	18	17	0	4	6
Two-thirds of Rix-dollar of 32 Shillings	12	11 $\frac{1}{4}$	0	3	0
One-third, or 16 Shillings	6	5 $\frac{1}{2}$	0	1	6

VII. DENMARK.**GOLD.**

Ducat current since 1767	2	0	0	7	6
Ducat specie, 1791 to 1802	2	5 $\frac{1}{4}$	0	9	4 $\frac{1}{4}$
Christian, 1773	4	7	0	16	7

SILVER.

Rix-dollar, or Double Crown, of the value of 96 Danish Shillings of 1776	18	14	0	4	6
Rix-dollar, or Piece of 6 Danish Marks of 1750	17	6	0	4	0
Danish Mark of 16 Shillings of 1776	4	0	0	0	7 $\frac{1}{2}$

VIII. PRUSSIA.**GOLD.**

Ducat	2	5 $\frac{1}{4}$	0	9	4
Frederick	4	7	0	16	6
Half ditto	2	3 $\frac{1}{2}$	0	8	3

CO I

<i>National Denominations.</i>	SILVER.			<i>English Value. £ s. d.</i>
	Dwt.	Gr.		
Rix-dollar, or Thaler of 30 Silbergroschen of 1823	14	6½	0	2 11½
Piece of 5 Silbergroschen	2	9	0	0 5½
Silbergros	—	—	0	0 0 0½

IX. HANOVER.

	GOLD.			
George d'Or	4	6½	0	16 4½
Ducat	2	5½	0	9 5
Gold Florin	2	2	0	6 10½
Double Gold Florin	4	4	0	13 9½

	SILVER.			
Rix-dollar (Constitution)	18	19	0	4 8
Florin, or piece of ½, fine	8	10	0	2 4
Half Florin, or piece of ¼, fine	4	4	0	1 2
Quarter, or piece of 6 good groschen, fine	2	1	0	0 7
Florin, or piece of ½, base	1	0½	0	2 4

X. SAXONY.

	GOLD.			
Ducat	2	5½	0	9 5
Double Augustus, or 10 Thalers	8	13½	1	12 11
Augustus, or 5 Thalers	4	6½	0	16 5½
Half ditto	3	3½	0	8 2½

	SILVER.			
Rix-dollar Specie, or Convention, since 1763	18	1	0	4 1½
Half ditto, or Florin	9	0½	0	2 0½
Thaler of 24 Groschen (imaginary coin)	0	0	0	3 1
Groschen, 24 to the Thaler, 32 to the Rix-dollar	1	3½	0	0 1½

XI. BAVARIA.

	GOLD.			
Carolin	6	5½	1	0 4½
Maximilian	4	4	0	13 7½

SILVER.

<i>National Denominations.</i>	<i>Dwt.</i>	<i>Grns.</i>	<i>English Value.</i>		
			<i>s</i>	<i>s</i>	<i>d</i>
Crown	18	2	0	4	6
Rix-dollar of 1800	17	12	0	4	0½
Teston, or Kopfstuck	4	6½	0	0	8¼

XII. BADEN.

GOLD.

Piece of 2 Florins	4	9	0	16	8½
1 Florin	2	4½	0	8	4½

SILVER.

Piece of 2 Florins	16	2	0	3	3½
1 Florin	8	1	0	1	3½

XIII. HAMBURGH.

GOLD.

Ducat ad Legem Imperii	2	5½	0	9	4½
New Town Ducat	2	5½	0	9	4

SILVER.

Mark Banco (imaginary)	—	—	0	1	5½
16 Shilling Piece, Convention	5	20	0	1	2½
Rix-dollar Specie	18	18	0	4	7

XIV. AUSTRIA AND BOHEMIA.

GOLD.

Emperor's Ducat	2	5½	0	9	5
Hungarian Ducat	2	5½	0	9	5½
Half-Sovereign	3	7½	0	14	9
Quarter-Sovereign	1	15½	0	7	4½

SILVER.

Crown, since 1753	18	1	0	4	1½
Half Rix-dollar, or Florin	9	0½	0	2	0½
20 Kreutzers	4	6½	0	0	8½
10 Ditto	2	3½	0	0	4

XV. NAPLES.

GOLD.

New Ounce of 3 Ducats	2	10½	0	10	5½
SILVER.					

12 Carlini, 1804	17	15	0	4	1½
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<i>National Denominations.</i>	<i>Dwt.</i>	<i>Grs.</i>	<i>English Value.</i>		
			<i>£</i>	<i>s.</i>	<i>d.</i>
Ducat of 10 Carlini, 1784 . . .	14	16	0	3	4½
2 Carlini, 1804	2	22	0	8	0
1 Ditto, 1804	1	11	0	4	0
Ducat of 10 Carlini, 1818 . . .	14	18	0	3	4½

XVI. SICILY.

	<i>GOLD.</i>			
Ounce, 1748	2	20½	0	10 10½
	<i>SILVER.</i>			
Crown of 12 Tarins	17	14	0	4 0½

XVII. RAGUSA.

	<i>SILVER.</i>			
Ragusa, or Talaro	18	22	0	3 0
Half ditto	9	11	0	1 6
Ducat	8	19	0	1 1
12 Grossettes	2	9½	0	0 4
6 Ditto	1	4½	0	0 2

XVIII. THE PAPAL STATES.

	<i>GOLD.</i>			
Pistola of Pius VI. and VII. . . .	3	12½	0	13 11½
Half ditto	1	18½	0	6 11½
Zecchino, 1769	2	4½	0	9 4½
Half ditto	1	2½	0	4 4½

	<i>SILVER.</i>			
Crown of 10 Paoli	17	1	0	4 3½
Testone of 3 Paoli	5	2	0	1 3½
— 20 Paoli	3	10	0	0 10½
Paolo	1	17	0	0 5½

The paolo is divided into 10 bajocchi; the crown into 10 paoli.

XIX. VENICE.

	<i>GOLD.</i>			
Zecchino	2	5½	0	9 6
Half ditto	1	2½	0	4 9
Ozella	8	19	1	17 4
Ducat	1	9½	0	5 11½
Pistola	4	8½	0	15 11½

SILVER.

<i>National Denominations.</i>	<i>Dwt.</i>	<i>Gr.</i>	<i>English Value.</i>		
			<i>£</i>	<i>s.</i>	<i>d.</i>
Ducat of 8 Livres	14	15½	0	3	3½
Crown of the Cross	20	10	0	5	3½
Ducatoon	18	0	0	4	8½
Talaro	18	13	0	4	2
Ozella	6	8	0	1	7½

XX. LOMBARDY.

GOLD.

Sovereign, 1823	8	18	1	7	1
Half ditto	4	9	0	13	6½

SILVER.

Crown	17	7½	0	4	1½
Half-Crown, or Florin	8	15½	0	2	0½
Austrian Livre	2	18½	0	0	8½

XXI. SARDINIA.

GOLD.

Carlin, since 1768	10	7½	1	10	1½
Half ditto	5	2½	0	19	6½
Pistola	5	10½	1	2	6½
Half ditto	4	17½	1	11	3½

SILVER.

Crown, since 1768	15	2½	0	3	8½
Half-Crown	7	13½	0	1	10½
Quarter ditto	3	8½	0	0	11½
New Crown of 1816	16	0	0	3	11½

XXII. SAVOY AND PIEDMONT.

GOLD.

Zecchino	2	5½	0	9	5½
Double New Pistola of 24 Livres	6	4½	1	3	9½
Half ditto	3	2½	0	11	10½
New Pistola of 20 Livres, 1816	4	3½	0	15	10
Carlino, since 1755	30	22½	5	19	0
Half ditto	15	11	2	19	6
Zecchino of Genoa	2	5½	0	9	6½

SILVER.

Crown of 6 Livres since 1755	22	14	0	5	7½
Half-crown	11	7	0	2	9½

<i>National Denominations.</i>	<i>Dwt.</i>	<i>Gr.</i>	<i>English Value.</i>
		s. d.	s. d.
Quarter-crown, or 30 Sous . . .	5	15½	0 1 4½
One-eighth ditto, or 15 Sous . . .	2	19½	0 0 8½
New Crown of 5 Livres, 1816 . . .	6	14	0 3 11½

XXIII. PARMA.**GOLD.**

Zecchino	2	5½	0 9 5½
Pistola of 1784	4	19½	0 18 3
— of 1786	4	4	0 17 4½
40 Lire of Maria Louisa since 1815 . . .	8	7½	1 11 9
20 Ditto	4	3½	0 15 10½

SILVER.

Ducat of 1784	16	11	0 4 11
Piece of 3 Lire	2	8½	0 0 6½
5 Lire of Maria Louisa	16	0	0 3 11½

XXIV. TUSCANY.**GOLD.**

Ruspone, 3 Zecchini, with the lily . . .	6	17½	1 8 7
One-third Ruspone, or Zecchino . . .	2	5½	0 9 6½
Half Zecchino	1	2½	0 4 9
Zecchino with effigy	2	5½	0 9 6½
Rosina	4	11½	0 17 1
Half ditto	2	5½	0 8 6½

SILVER.

Francesconi of 10 Paoli, or Crown of 10 Paoli	17	13½	0 14 5½
Piece of 5 Paoli	8	18½	0 2 2½
— 2 Paoli	3	6½	0 0 0
— 1 Paoli	1	15½	0 0 5

XXV. SWITZERLAND.**GOLD.**

32 Franken Piece	8	22	1 17 9
16 Ditto	4	11	0 18 10½
Ducat of Zurich	2	5½	0 9 5
— Berne	2	5½	0 9 2½
Pistole of Berne	4	21	0 18 10

SILVER.

Crown of Basle of 30 Batz, or 2 Florins .	15	1	0 3 7½
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<i>National Denominations.</i>	<i>Dwt. Grs.</i>	<i>English Value.</i>		
		<i>£</i>	<i>s.</i>	<i>d.</i>
Half Crown, or Florin	7 12 $\frac{1}{2}$	0	1	9 $\frac{1}{4}$
Franken of Berne, since 1803	4 17 $\frac{1}{4}$	0	1	2 $\frac{1}{4}$
Crown of Zurich of 1781	16 0	0	3	8 $\frac{1}{2}$
Half, or Florin, since 1781	8 0	0	1	10 $\frac{1}{4}$
Crown of 40 Batz of Basle and Soleure, since 1798	18 23	0	4	8
Piece of 4 Franken of Berne, 1799	18 22	0	4	8
Ditto of 4 Franken of Switzerland of 1803	18 23	0	4	9
Ditto of 2 Franken of Switzerland of 1803	9 11 $\frac{1}{2}$	0	2	4 $\frac{1}{2}$
Ditto of 1 Franken	4 17 $\frac{1}{4}$	0	1	2 $\frac{1}{2}$

XXVI. AMERICA—UNITED STATES.

	<i>GOLD.</i>			
Double Eagle of 10 Dollars	11 6	2	3	9 $\frac{1}{4}$
Eagle of 5 Dollars	5 15	1	1	10 $\frac{1}{4}$
Half Eagle of 2 $\frac{1}{2}$ Dollars	2 19 $\frac{1}{2}$	0	10	11 $\frac{1}{2}$
	<i>SILVER.</i>			
Dollar	17 10	0	4	3 $\frac{1}{2}$
Half Dollar	8 17	0	2	1 $\frac{1}{4}$
Quarter Dollar	4 8 $\frac{1}{2}$	0	1	0 $\frac{1}{4}$

XXVII. EAST INDIES.

	<i>GOLD.</i>			
Mohur of Bengal	7 23	1	13	8
Ditto of Bombay	7 10 $\frac{1}{2}$	1	10	1
Gold Rupee, Bombay	7 11	1	9	2
Ditto Madras	7 12	1	9	3
Star Pagoda, Madras	2 4 $\frac{1}{2}$	0	7	6
	<i>SILVER.</i>			
Rupee, Sicca	7 12	0	2	2 $\frac{1}{2}$
Ditto Arcott	7 9	0	1	11 $\frac{1}{4}$
Ditto Bombay	7 11	0	1	11
Ditto Broach	7 10	0	1	9

XXVIII. PERSIA.

	<i>GOLD.</i>			
Rupee	weight unknown	1	9	1 $\frac{1}{4}$
Half ditto	" "	0	14	6 $\frac{3}{4}$

SILVER.

<i>National Denominations.</i>		<i>English Value.</i>
		<i>£ s. d.</i>
Double Rupee of 5 Abassis	weight unknown	0 3 10 $\frac{1}{2}$
Rupee	" "	0 1 11 $\frac{1}{2}$
Abassi	" "	0 0 9
Mamoudi	" "	0 0 4 $\frac{1}{2}$
Larin	" "	0 0 9 $\frac{1}{2}$

XXIX. TURKEY.

GOLD.

		<i>Dwt. Grs.</i>
Zecchin Zermahboub of Sultan Ab-		
doul Hamet, 1774	1 16	0 6 11
Half Ditto	0 20	0 3 5 $\frac{1}{2}$
Roubbie, or $\frac{1}{2}$ Zecchin Fondoukli . .	0 13 $\frac{3}{4}$	0 1 11
Zecchin Zermahboub of Selim III. .	1 16	0 5 9 $\frac{1}{2}$
Half Ditto	0 20	0 2 4 $\frac{1}{2}$
Quarter Ditto	0 10	0 2 2 $\frac{1}{4}$

SILVER.

Altmichlec of 60 Paras, since 1771 .	15 50	0 2 9 $\frac{1}{2}$
Yaremlech of 20 Paras, or 60 Aspres		0 0 9 $\frac{1}{2}$
Rouble of 10 Paras, or 30 Aspres .		0 0 4 $\frac{1}{2}$
Aspre, 120 in the Piastre		0 0 0
Piastre of 40 Paras		0 1 7
Piece of 4 Piastres		0 2 3 $\frac{1}{2}$

XXX. JAPAN.

GOLD.

Old Kobang of 100 Mas .	weight unknown .	2 7 3
Half ditto	" "	1 3 7 $\frac{1}{2}$
New Kobang	" "	1 5 11
Half ditto	" "	0 12 10 $\frac{1}{2}$

SILVER.

Tigo-gin of 40 Mas	" "	0 11 5
Half ditto	" "	0 5 8 $\frac{1}{2}$
One-fourth ditto	" "	0 2 10 $\frac{1}{4}$
One-eighth ditto	" "	0 1 5

COIR. Yarn from the husk of the cocoa-nut, convertible into cordage, thought by some to be superior to that from hemp.—See *Cocoa*.

COKE. Carbonised pit-coal; coal, deprived of its volatile principles by calcination in a retort. It is generally obtained from the manufacture of gas. Properly prepared, good coal will yield about 80 per cent. of excellent coke, weighing about 14 cwt. per chaldron.

COLONIES. Establishments abroad, founded either by individuals who voluntarily emigrate from the parent state, or by those who are transported for their crimes. "Britain," observes Mr. Rush, formerly the American minister in London, "exists all over the world in her colonies. These alone give her the means of advancing her industry and opulence for ages to come. They are portions of her territory more valuable than if joined to her island. The sense of distance is destroyed by her command of ships; whilst that very distance serves as the feeder of her commerce and marine. Situated on every continent, lying in every latitude, these, her out-dominions, make her the centre of a trade, already vast and perpetually augmenting;—a home trade, and a foreign trade, for it yields the riches of both, as she controls it all at her will. They take off her redundant population, yet make her more populous, and are destined, under the policy already commenced towards them, and which in time she will far more extensively pursue, to expand her empire, commercial, manufacturing, and maritime, to dimensions to which it would not be easy to affix limits."

Independently of our vast empire in the East, the following may be mentioned as British colonial possessions:—Lower Canada, Upper Canada, Nova Scotia, and New Brunswick, in North America; Demerara, Berbice, &c., in South America; in the West Indies, Jamaica, Barbados, St. Lucia, Granada, Trinidad, and other islands; Mauritius, New South Wales, Van Diemen's Land, Swan River; Cape of Good Hope, Sierra Leone, and various other settlements on the coast of Africa; Heligoland, Gibraltar, Malta, the United States of the Ionian Islands, &c.

The best and most important work that has appeared on this subject, is R. Montgomery Martin's History of

the British Colonies, in five octavo volumes. Much useful information may also be gathered from the details in M'Culloch's *Dictionary of Commerce*, &c., with reference to emigrants—to export and import duties—to the mode of transacting business between mercantile houses in England and planters in the West Indies, &c.

The following table exhibits the extent of the respective British West Indian colonies, Cape of Good Hope, &c., in square miles, and their population, white, free-coloured, and black, according to the census taken previously to the apportionment of the sum of £20,000,000, granted by parliament as compensation to slave-owners, under the act 3 and 4 Will. 4, c. 73 :—

Colonies.	Area in British Sqr. Miles.	Whites.	Free Coloured.	Black.
Bermuda	36	4,264	4,456	4,203
Bahamas	312	4,657	4,211	9,705
Jamaica	6,400	359,000*	—	311,692
Honduras	10,000	4,839*	—	1,920
Virgin Islands	120	477	1,296	5,192
Antigua	94	1,980	33,432	29,537
Montserrat	47	330	974	6,355
Nevis	20	700	2,000	8,722
St. Christopher's ..	68	1,612	3,000	20,660
Dominica	291	840	3,606	14,384
Barbados	166	14,959	5,146	82,807
Granada	109	801	3,786	23,536
St. Vincent's	131	1,301	2,824	22,997
Tobago	44	280	3,000	11,621
St. Lucia	225	881	3,919	13,348
Trinidad	1,700	41,479	4,201	22,359
British Guiana, &c.	70,000	3,006	6,360	84,915
Cape of Good Hope	120,000	136,375*	—	38,427
Mauritius	1,000	104,479*	—	68,613
Total.....	140,763	682,230	82,211	780,993

* White and free coloured.

The table below shows the number of slaves in each colony; the total value of the slaves, calculated on the average value of a single slave, in each colony, on an average of eight years; and the proportion of the sum of £20,000,000 compensation granted by parliament to slave owners, under the before-mentioned act, 3 and 4 Will. 4, c. 73:—

Colonies.	Number of Slaves.	Proportion of the £20,000,000 to which each colony was entitled.		
		s. £	s. d.	d.
Bermuda	4,203	50,584	7	.41
Bahamas	9,705	128,340	7	.47
Jamaica	311,692	6,161,927	5	.58
Honduras	1,920	101,958	19	.92
Virgin Islands	5,192	72,940	8	.76
Antigua	29,537	425,866	7	.13
Montserrat	6,355	103,558	18	.38
Nevis	8,722	151,007	2	.35
St. Christopher's ..	20,660	331,630	10	.82
Dominica	14,384	275,923	12	.30
Barbados	82,807	1,721,345	19	.87
Granada	23,536	616,444	17	.03
St. Vincent's	22,997	592,508	18	.93
Tobago	11,621	234,064	4	.55
St. Lucia	13,348	335,627	15	.19
Trinidad	22,359	1,039,119	1	.11
British Guiana, &c.	84,915	4,297,117	10	.30
Cape of Good Hope	38,427	1,247,401	0	.76
Mauritius	68,613	2,112,632	10	.06
		Deficient fractions.		
Total.....	780,993	20,000,000	—	.08

The next succeeding table presents a tolerably accurate view of the extent and population of the British North American colonies:—

Colonies.	Area in British Square Miles.	Population.
Lower Canada . . .	250,000	549,005
Upper Canada . . .	105,000	336,461
New Brunswick . . .	27,700	119,457
Nova Scotia . . .	15,600	142,548
Cape Breton . . .	3,100	32,292
Prince Edward's Island	2,100	60,088
Newfoundland . . .	36,000	
Totals	439,500	1,239,851

COMITATU COMMISSO. A writ or commission authorising a sheriff to take upon himself the charge of a county.

COMMISSION. A warrant, or letters-patent, authorising persons to exercise jurisdiction, either ordinary or extraordinary, in hearing or determining any cause of action; as the commission of the peace, the commission of the judges, &c.

COMMITTEE. A body of persons to whom the consideration or redeeming of any special matters is referred by some court, or by consent of the parties to whom it may belong.

COMMITMENT. The sending a person to prison by warrant, or order, who has been guilty of some offence.

COMMON LAW. That law by which the determinations in the king's (or queen's) ordinary courts are guided.

COMMON PLEAS. One of the king's (or queen's) courts held at Westminster Hall, whose jurisdiction is general, and extends itself throughout England. This court holds plea of all civil causes at common law between subject and subject, in actions real, personal, and mixed. It has no cognizance of pleas of the crown. It does not possess any original jurisdiction; nor has it, like the Court of King's (or Queen's) Bench, any mode of pro-

ceeding peculiar to itself. On the contrary, its authority is founded on original writs issuing, or presumed to have issued, out of the Courts of Chancery; which original writs are the royal mandates for the court to proceed in the determination of the causes mentioned therein. A writ of error, in the nature of appeal, lies from this court to the Court of King's Bench. The judges of this court are five in number; one chief, and four puisne justices.

COMPANY. A number of persons associated to carry on some commercial or industrious undertaking; such as the Bank of England, the East India Company, &c. A Joint-Stock Company is an institution with a given amount of capital, divided into a larger or smaller number of transferable shares.

COMPOSITION, COMPOUNDING. Where a debtor compounds, or enters into a composition, with his creditors, the creditors agree to receive a porportion in lieu of the whole of their claims; and for which they give their debtor an acquittance from his obligations.

CONSCIENCE. Courts of Conscience, or Requests, are for the recovery of small debts by inexpensive and summary process. In the 9th of Henry VIII., the first court of this description was established in London for the recovery of debts under 40s. Similar courts have since been established, by act of parliament, in divers trading towns and other districts. In several of these courts, the jurisdiction has been extended to £5; and, in the city of London, to £10. To one of these courts, any person, having any debt not exceeding 40s., £5, or £10, according to the specific jurisdiction of the court, due from any other person residing within the jurisdiction of the said court, may cause such debtor to be summoned, by personal service, or by a printed or written summons, left at his dwelling-house, lodging, or place of abode, shop, stall, or any other place of dealing; and the commissioner or commissioners, acting as judge or judges of the court, may make such order between the parties, as shall be consistent with equity and good conscience, and may direct the payment of such debt, to be either paid in one sum,

or by such instalments as shall seem reasonable. In a case of partnership, it is sufficient to summon one of the partners. Either the plaintiff or defendant may cause any person or persons to be summoned as witnesses, under a penalty of 40s., either by personal summons, or by leaving the same at their usual place of abode. Debts contracted for necessaries by persons under age, and debts due to any menial or other servants under age, may be sued for and recovered in these courts, in the same manner as though the parties were of full age. The jurisdiction of these courts does not extend to any debt where any title of freehold or lease for years of any lands or tenements, shall come in question; nor to any debt by specialty, which shall not be for payment of a certain sum; nor to any debt that shall arise from testament in matrimony, nor any thing belonging to the ecclesiastical courts. No solicitor, attorney, or other officer of any of the courts of Westminster, has any privilege of exemption from the jurisdiction of these courts. According to act 25 Geo. 3, c. 56, and 26 Geo. 3, c. 38, no person committed for debt by any order or process of these courts, shall be imprisoned longer than twenty days, where the debt is not 20s.; and if it exceed 20s., but does not exceed 40s., not more than forty days. But if debtors be found guilty of a fraudulent concealment of their effects, they may be confined for a longer term. On the expiration of the time of imprisonment, they are to be discharged without fee, reward, or any other gratuity whatever. Any gaoler or turnkey confining them longer, upon any pretence, or demanding any fee, &c., shall forfeit £5. Complaints of offences must be made within two months; one half of the penalty to the poor of the parish, the other to the informer. Two justices may determine the matter. No process may issue against the body and goods of the same person at the same time.

CONSERVATOR. A preserver, protector, or maintainer, or a standing arbitrator, chosen and appointed as a guarantee to adjust differences that may arise between parties, &c.

CONSISTORY. A tribunal, usually a council-house of ecclesiastical persons, or place of justice in a spiritual court.

CONSUL. An officer appointed by a government to attend to the general interests of its subjects trading with a foreign country in which the consul resides. The office originated about the middle of the 12th century. The fees payable to consuls are specified in the act 6° Geo. 4, c. 87. There are about 240 vice-consular agents who receive no salary from government, but who are appointed by, and act under the consuls within whose district they respectively reside. The following table exhibits the number of British consuls and vice-consuls in foreign countries, and the number of vice-consuls appointed by them:—

Countries.	Con.	Vice-C.	Countries.	Con.	Vice-C.
Russia . . .	7	5	Syria . . .	5	0
Sweden . . .	2	14	Egypt. . .	4	5
Norway. . .	2	12	United States.	10	15
Denmark . . .	2	6	Mexico . . .	4	0
Prussia . . .	4	1	Hayti . . .	3	1
Germany . . .	6	6	Guatemala . .	1	0
Holland. . .	2	5	Colombia . .	6	2
Belgium . . .	2	3	Brazil . . .	6	4
France . . .	12	29	Monte Video .	1	0
Spain . . .	12	54	Buenos Ayres.	1	0
Portugal, &c.	9	20	Chili . . .	4	0
Italy . . .	16	37	Peru . . .	3	0
Greece . . .	4	13	Sandwich Islands	1	0
Turkey . . .	10	7			

CONSTABLES. Of these officers there are three sorts; high, petty, and special. The high constable's jurisdiction extends to the whole hundred; the petty constable's to the parish or liberty for which he is chosen; and the special constable is appointed for particular occasions and emergencies. Constables are empowered to execute warrants, to apprehend offenders, and to preserve the peace. Persons appointed special constables, and refusing to take the required oath, or to serve, are subject to a penalty not exceeding £5. Attorneys and other law officers, su-

geons, apothecaries, licenced teachers and preachers, &c., are exempt from serving the office of constable.

CONTEMPT. In legal language, a disobedience to the rules, orders, or process of a court, which has power to punish such offence with imprisonment.

CONTRABAND. Any commodity prohibited to be imported or exported, sold or bought, either with or without payment of duty. Also; all such commodities as neutrals are not allowed to carry to belligerent powers during the time of war.

CONVEYANCE. A deed by which land is passed or conveyed from one person to another.

CONVOY. A ship, or ships, of war appointed for the escort and protection of merchant ships proceeding to or from certain ports. *Vide* act 43 Geo. 3, c. 57, &c.; Marshall, on Insurance; Abbott, on the Law of Shipping, &c.

COPAL. A valuable resin imported from America and the East Indies. The best is of a light lemon yellow, transparent, in rounded lumps of a moderate size, brittle, and so hard as not to be scratched by the nail.

COPARCENERS. Persons having equal shares in the inheritance of their ancestors.

COPPERAS. In commerce, the green copperas, or sulphate of iron is the most important. It is extensively used in dying; in the manufacture of Prussian blue, and of ink: it is also used in painting, in tanning, &c. Sulphate of copper, or blue copperas, or vitriol, is also used in medicine, and for various purposes in the arts. White vitriol, or copperas, is the sulphate of zinc.

COPYHOLD. A tenure or holding, for which the tenant has nothing to show but the *copy* of the rolls made by the steward of the lord's court, on his being admitted to any parcel of land or tenement belonging to the manor. Though held only by *copy*, such land or tenement is almost equal in value to a freehold inheritance. A copyholder, however, cannot convey his estate to another, without making a surrender of it to the lord, according to the custom of the manor.

CORAM NON JUDICE. When a cause is brought and

determined in a court whereof the judges have no jurisdiction, it is said to be *coram non judice*.

CORDAGE. All sorts of cord used in the rigging of ships, &c. By an act 3 and 4 Will. 4, c. 52, § 8, masters of English ships, on entering any port of Britain or of her colonies, are obliged, under a penalty of £100, to report the foreign cordage, not employed as standing or running rigging, in use on board of their ships. *Vide* also 25, Geo. 4, c. 56.

CORN LAWS. For the numerous regulations under which the British corn trade is conducted, we must content ourselves with little more than referring the reader to the act 9 Geo. 4, c. 60. By an act 5 and 6 Will. 4, c. 13, all foreign corn imported into the Isle of Man is now subject to the same duties as in the United Kingdom.

Necessarily abstaining from all statement of the arguments, either in favour of, or against protecting duties on the importation of corn, it may yet be desirable to show the probable annual consumption of wheat and other grain in the United Kingdom. This, it has been estimated, cannot be less (probably more,) than *forty-four millions of quarters*, exclusive of seed, and at *fifty-two millions* if seed be included. Accordingly, the following table will be found to indicate the *quantity of wheat and other grain consumed in the United Kingdom, in a year, in six months, in a month, in a week, in a single day, &c.* :—

	Wheat. Qrs.	Other Grain. Qrs.	Total. Qrs.
A Year	12,000,000	40,000,000	52,000,000
Six Months ..	6,000,000	20,000,000	26,000,000
Three Months ..	3,000,000	10,000,000	13,000,000
Six Weeks....	1,500,000	5,000,000	6,500,000
A Month	1,000,000	3,333,333	4,333,333
A Fortnight ..	500,000	1,666,666	2,166,666
A Week.....	250,000	833,333	1,083,333
A Day	35,714	119,048	154,762

In the year 1831, the total amount of foreign corn imported was 3,541,809 quarters; and this is believed to have been the largest quantity ever imported in a single year. After making the requisite deductions, it has been further estimated, that an importation of 3,500,000 quarters is equivalent to about one-seventh of the entire produce of the empire, actually brought to market in an average year; a quantity which must, in consequence, have a considerable influence in reducing the pressure of scarcity, by restraining the advance of prices, in a bad year.

The following tabular statement exhibits the *amount of duties payable on the importations of the different kinds of corn imported from any foreign country* :—

Wheat.—According to the average price of wheat, £ s. d. made up and published in the manner required by law, *viz.*—

Whenever such price shall be 62 <i>s.</i> and under 63 <i>s.</i>	the quarter, the duty shall be for every quarter	1	4	8
63 <i>s.</i> and under 64 <i>s.</i>	· · · · ·	1	3	8
64 <i>s.</i> — — 65 <i>s.</i>	· · · · ·	1	2	8
65 <i>s.</i> — — 66 <i>s.</i>	· · · · ·	1	1	8
66 <i>s.</i> — — 67 <i>s.</i>	· · · · ·	1	0	8
67 <i>s.</i> — — 68 <i>s.</i>	· · · · ·	0	18	8
68 <i>s.</i> — — 69 <i>s.</i>	· · · · ·	0	16	8
69 <i>s.</i> — — 70 <i>s.</i>	· · · · ·	0	13	8
70 <i>s.</i> — — 71 <i>s.</i>	· · · · ·	0	10	8
71 <i>s.</i> — — 72 <i>s.</i>	· · · · ·	0	6	8
72 <i>s.</i> — — 73 <i>s.</i>	· · · · ·	0	2	8

Whenever such price shall be at or above 73*s.*, the duty shall be for every quarter 0 1 0

Whenever such price shall be under 62*s.*, and not under 61*s.*, the duty shall be for every quarter 1 5 8

And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 61*s.*, such duty shall be increased by 1*s.*

Barley.—Whenever the average price of barley, made up and published in manner required by law, shall be 33*s.*, and under 34*s.* the quarter, the duty shall be for every quarter 0 12 4

And in respect of every integral shilling, by which such price shall be above 33*s.*, such duty shall be decreased by 1*s. 6d.*, until such price shall be 41*s.*

£ s. d.
At or above 41 <i>s.</i> , the duty per quarter . . . 0 1 0
Under 33 <i>s.</i> and not under 32 <i>s.</i> 0 13 10

And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 32*s.*, such duty shall be increased by 1*s. 6d.*

Oats.—Whenever the average price of oats, made up and published in manner required by law, shall be 25 <i>s.</i> , and under 26 <i>s.</i> the quarter, the duty shall be for every quarter 0 9 3
--

And in respect of every integral shilling, by which such price shall be above 25*s.*, such duty shall be decreased by 1*s. 6d.*, until such price shall be 31*s.*

Whenever such price shall be at or above 31 <i>s.</i> , the duty shall be for every quarter 0 1 0
Under 25 <i>s.</i> , and not under 24 <i>s.</i> 0 10 9

And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 24*s.*, such duty shall be increased by 1*s. 6d.*

Rye, Peas, and Beans.—Whenever the average price of rye, peas, or beans, made up and published in manner required by law, shall be 36 <i>s.</i> , and under 37 <i>s.</i> the quarter, the duty shall be for every quarter 0 15 6
--

And in respect of every integral shilling, by which such price shall be above 36*s.*, such duty shall be decreased by 1*s. 6d.*, until such price shall be 46*s.*

Whenever such price shall be at or above 46 <i>s.</i> , the duty shall be for every quarter 0 1 0
Under 36 <i>s.</i> , and not under 35 <i>s.</i> 0 16 9

And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 35*s.*, such duty shall be increased by 1*s. 6d.*

Wheat, Meal, and Flour.—For every barrel, being 196 lbs., a duty equal in amount to the duty payable on 38*1/4* gallons of wheat.

Oatmeal.—For every quantity of 181 $\frac{1}{2}$ lbs., a duty £ s. d. equal in amount to the duty payable on a quarter of oats.

Maize or Indian Corn, Buck-Wheat, Bear, or Bigg.—For every quarter, a duty equal in amount to the duty payable on a quarter of barley

If the produce of, and imported from, any British possession in North America, or elsewhere out of Europe:—

Wheat.—For every quarter, until the price of British wheat, made up and published in manner required by law, shall be 67s. per quarter 0 5 0

Whenever such price shall be at or above 67s., the duty shall be for every quarter 0 0 6

Barley.—For every quarter, until the price of British barley, made up and published in manner required by law, shall be 34s. per quarter 0 2 0

Whenever such price shall be at or above 34s., the duty shall be for every quarter 0 0 6

Oats.—For every quarter, until the price of British oats, made up and published in manner required by law, shall be 25s. per quarter 0 2 6

At or above 25s. 0 0 6

Rye, Peas, and Beans.—For every quarter, until the price of British rye, peas, or beans, made up and published in manner required by law, shall be 41s. 0 3 0

At or above 41s. 0 0 6

Wheat, Meal, and Flour.—For every barrel, being 196 lbs., a duty equal in amount to the duty payable on 38 $\frac{1}{2}$ gallons of wheat.

Oatmeal.—For every quantity of 181 $\frac{1}{2}$ lbs., a duty equal in amount to the duty payable on a quarter of oats.

Maize or Indian Corn, Buck-Wheat, Bear, or Bigg.—For every quarter, a duty equal in amount to the duty payable on a quarter of barley.

CORONER. An officer whose duty it is to inquire into the cause by which any person may have come to a sudden or violent death; which inquiry must take place before him and the jury assembled for the purpose, upon view of the body. Another branch of the coroner's office

is, to inquire concerning shipwrecks, and treasure-trove, and where and in whose possession the goods may be. Ministerially, the coroner is the sheriff's substitute.

CORPORATION. A company or public body, established by royal charter, authorised to use a common seal, and having one principal officer, or mayor, competent, by their common consent, to perform any act within the compass of their charter. A corporation spiritual consists of a dean and chapter, or a master and fellows of a college or hospital. A corporation temporal by the king (or queen) consists of a mayor and commonalty. The Corporation Temporal by the common law is the Parliament, consisting of the King, Lords, and Commons.

COSTS. Expenses in the prosecutions and defence of actions; consisting of money paid to the crown and government for fines, stamp duties, &c., to the officers of the courts, to the counsel and attorneys for their fees, &c.

COTTON. A sort of vegetable wool the produce of a shrub growing naturally in the tropical regions of Asia, Africa, and America, and ascertained by Herodotus to have been manufactured into cloth, in Hindostan, from the remotest antiquity. The manufacture of cotton, believed to have been introduced into this country in the early part of the 17th century, has of late years increased, through the aid of machinery, to an almost incredible extent. The total value of every description of cotton goods, annually manufactured in Britain, has been estimated at £34,000,000 sterling, and the annual aggregate amount of wages to the workmen employed in the manufactures to £21,000,000. The many varieties of raw cotton imported are generally distinguished as short or long stapled. Of the latter the best is the "sea-island" cotton, or that from the coast of Georgia; the choicest specimens of which are frequently, however, four times more costly than some of the inferior qualities. The best samples of Brazil cotton are long-stapled. All the Indian cottons are short-stapled; but the best of the short-stapled class are the "bowed" or "upland" Georgia cottons.

A general idea of the different qualities, and prices per pound, may be formed from the subjoined market list:—

	s.	d.	s.	d.
Sea-Island	1	6	to	2 6
Ditto	3	0	..	5 0
Demerara and Berbice . . .	0	9	..	1 0
Pernambuco	0	10 $\frac{1}{4}$	..	1 1 $\frac{1}{2}$
Egyptian	0	11 $\frac{1}{2}$	..	1 2 $\frac{1}{2}$
New Orleans	0	7 $\frac{1}{4}$	..	1 0
Bahia	0	8 $\frac{1}{4}$	..	0 10
Upland Georgia	0	7 $\frac{1}{2}$	..	0 11 $\frac{1}{2}$
Surat. . . .	0	6 $\frac{1}{2}$	..	0 8
Madras	0	6 $\frac{1}{2}$	..	0 8
Bengal	0	5 $\frac{1}{4}$	..	0 6 $\frac{1}{2}$
West Indian	0	7 $\frac{1}{4}$	..	0 9

COUNTRY COURT. A court kept by the sheriff of every county, and in two divisions: one retaining the general name, as the county court, held every month, before the sheriff or his deputy; the other called the turn, held twice a year, within a month after Easter and Michaelmas. The county court has the determination of certain trespasses and debts under 40s. Causes may be removed from this court into the King's (or Queen's) Bench, or Common Pleas.

COURTS. Of these there are, in law, several: Court of Parliament, Chancery, King's (or Queen's) Bench, Common Pleas, Exchequer, Rolls, Palace, Marshalsea, Admiralty, Conscience or Requests, County Court, Lord Mayor's Court, Insolvent Debtors' Court, Sheriff's Court, &c.

Court Baron is a court which every lord of a manor holds by prescription, on some part of the manor. Here duties, heriots, and customs are received, estates and surrenders passed, &c.

Court Christian, or Ecclesiastical, is a spiritual court in which matters relating to Christianity, the church, &c., are discussed and determined. These courts may be thus enumerated and specified. 1. Archdeacon's, the lowest, whence an appeal lies to that of the bishop. 2. Bishop's Consistory, held in his cathedral, an appeal lying to the archbishop of the province. 3. Arches, a court

of appeal belonging to the archbishop of Canterbury, whence an appeal lies to the king (or queen) in Chancery.
4. Peculiars, a court annexed to the Court of Arches.
5. Prerogative, for the trial of all testamentary causes, when the deceased may have left property within two different dioceses.

Court of Conservancy is a court held in the city of London, by the lord mayor and city officers for the time being, for the due preservation of city lands, ways, and privileges.

Court Leet, is a court of record belonging to a hundred, instituted for the punishment of encroachments, nuisances, fraudulent weights and measures, and offences against the crown. The steward is the judge, and all persons residing within the hundred, with the exception of peers, clergymen, &c. are obliged to do suit within this court.

COURT-DAY. A day when courts of judicature are opened, and pleas are determined.

COURT-ROLL. A roll containing an account of the number of lands, &c. on the jurisdiction of a lord of a manor, with a description of the tenants.

COVENANT. An agreement or consent of two or more by deed in writing, sealed and delivered. Should, however, anything be covenanted for that is illegal or impossible to be carried into effect, the covenant is void.

COVERTURE. The state of a married woman, as being under the protection, or power, of her husband.

COWRIES. Small shells, an article of trade at Bombay, and used as coin in smaller payments amongst the natives of many parts of India, Africa, &c.

CRANBERRIES. Red berries, larger than currants, and the fruit of a moss-plant, found in bogs in Scotland, Lincolnshire, and Norfolk; also in North America and the northern parts of Russia. Russian cranberries are the best.

CREDIT. A person who lends money, or sells goods to be paid for at a future period, is said to give credit; a person who borrows, or purchases on such terms, obtains credit.

CREDIT, LETTER OF. A letter written by one party to another, requesting the party addressed to credit the bearer with a specified sum of money. Letters of credit

are matter of great convenience in travelling on the continent. For instance, a person proposing to visit the French capital, should procure a letter of credit from a banker in London on one in Paris. This may be sent to the Paris banker before setting out; and he may be desired to send credit for the sum required, on a banker in Calais, or wherever the traveller may propose to land, by a letter addressed *poste restante* there. On his arrival, he finds his letter at the post office, and obtains from the French banker of the place, what money he may want for his journey to Paris; and, when in that city, the balance of his letter of credit is paid by the Paris banker. This system is extensively used all over the continent. Advice by post should instantly follow the granting of a letter of credit.

CREW. Company of sailors belonging to a ship. A British ship, to be properly registered and navigated, must have not less than three fourths of her crew British subjects, besides the master. Under a penalty of £50, the master of every British vessel from the West Indies, must deliver to the Custom-house, within ten days after arrival, a list of his crew at the time of outward-bound clearing, and of arrival in the West Indies, and of every sailor who may have deserted or died during the passage, and the amount of wages due to each so dying. If any British ship shall have a foreign sailor on board, not allowed by law, the master or owner is liable to a penalty of £10 for every such sailor; unless it can be shown, by certificate of the British consul, or of two British merchants, or by other satisfactory testimony, that the necessary number of British sailors could not be procured at the port where the foreign sailor was taken on board. *Vide* 3 and 4, Will. 4, c. 52, § 16; c. 54, § 12, 19.

CRIM. CON. Criminal or illicit conversation with a married woman. The offender is liable to an action for damages.

CROWN OFFICE. An office belonging to the Court of King's (or Queen's) Bench, in which the attorney general and the clerk of the crown exhibit informations: the former, *ex officio*; the latter, by order of the court.

CURRENTS. Small grapes, deriving their name from Corinth, where, and also in Zante, Cephalonia, Ithaca, &c., they are extensively cultivated. Previously to 1834, the duty on currants was 44s. 4d. per cwt.; more than £200 per cent. on the importation price. It was then reduced to 22s. 2d.

CURSITORS. Clerks in chancery, of whom there are twenty-four, and whose business it is to make out original writs.

CUSTOM. A law or right not written, but established by long use and the consent of our ancestors, *ultra tritum*, or beyond the third generation, which is generally reckoned about a century.

CUSTOM-HOUSE. An office where goods are entered for importation or exportation; at which also, duties, bounties, and drawbacks, payable or renewable on goods imported or exported, are paid and received. Ships are cleared out, &c., at the custom-house. Every considerable sea-port town has a custom-house.

CUSTOMS. Duties charged on goods on their importation or exportation. As a large portion of the revenue of the country is derived from these duties, and as drawbacks are given on many, and bounties on a few articles exported, the business of importation and exportation, as connected with the custom-house, is subject to a great variety of regulations, which must be closely observed, or heavy penalties may be incurred, and much property be subjected to confiscation. These regulations are embodied in the act 3 and 4 Will. 4, c. 52, which it is essentially necessary that every person engaged in the importation or exportation of merchandize, should possess. This act is of great extent, and its details are very numerous. Its penalties of importation are also heavy. The mere mention of a few points will show the necessity of studying the whole. No goods may be imported into the United Kingdom, in any British ship, unless the master shall have on board a manifest of such goods, under the penalty of £100. And if any goods contained in such manifest, be not on board, the master shall forfeit £100. The

master of every ship is bound to produce his manifest, to any officer of the customs who shall come on board his ship, after her arrival within four leagues of the coast. No goods may be landed, nor bulk broken, before report and entry made at the custom-house, under penalty of £100. Under an equal penalty, the master of every ship, whether laden or in ballast, is bound to report within 24 hours after his arrival. A master of any ship having natives of Africa on board, is bound to report the particulars under penalty of £100; the master or owners also being required to give bond to the crown in the sum of £100, that such Africans shall not become chargeable to any parish, &c.; a refusal to enter into such bond, subjecting them to a penalty of £200. Packages reported "contents unknown," may be opened and examined; if the contents prove such as may not be entered for home use, they are forfeit to the crown: if otherwise, they may be entered, and charged with import duties, or delivered for exportation. Officers of the customs have a right to board any ship arriving at any port in the United Kingdom, to stay on board till all her cargo shall have been duly delivered, to have free access to every part of the ship, with power to fasten down hatchways, and to mark, seal, lock up, or otherwise secure any goods before landing; such officers, if of a degree superior to tidesmen or watermen, to be empowered to force any place, chests, boxes, &c., the keys of which may be withheld; if not of such degree, they are to send for their superior officer; if the goods found under such circumstances, be improper, they are forfeit; and if, after seizure, the master shall wilfully alter, break, or remove the officers' seals, &c., or secretly convey the goods away, he shall forfeit the sum of £100. The master of a ship from the West Indies, is bound, under a penalty of £50, to deliver to the collector or controller, within ten days after her arrival, a list of her crew at the time she left England, at the time she cleared out from the West Indies, and at the time of her return; with all deaths or desertions that may have taken place, the amount of wages due in cases of death, &c.

The regulations respecting the entry of goods, payment of duties, &c., are very complex and stringent. Every importer of goods must, within fourteen days after their arrival, make perfect entry inwards of such goods, or entry by bill of sight, according to a form prescribed; and shall within such time, land the same; in default of which entry and landing, the goods to be conveyed to the king's warehouse; and, unless the duties due upon such goods be paid within three months after the expiration of the fourteen days, they are to be sold. Unauthorized persons making entries, are subject to a penalty of £100. No entry is valid unless agreeing in its particulars with manifest, report, &c. If goods are undervalued in the entry, with reference to the payment of duties, &c., they may be detained by the officers, and appropriated to the use of the crown. If an importer of goods, or his agent, cannot, for want of full information, make full and perfect entry of the value of such goods, he may be allowed to land them provisionally for examination, ascertainment of value, payment of duties, &c. In default of perfect entry within three days, such goods to be taken to the king's warehouse; and, if the importer shall not, within one month of landing, make full entry and pay the duties, they will be sold (or exported) for the payment of the duties, &c. If any package or parcel, landed by bill of sight, shall contain fraudulently-concealed goods, the whole shall become forfeit. In case of goods damaged on the voyage, abatement of duties to be allowed; officers to examine damage, and state proportion, or choose two merchants for the purpose. No abatement of duties allowed on corn, coffee, oranges, pepper, currants, raisins, figs, tobacco, lemons, or wine. With certain exceptions, goods exported from the United Kingdom, may be re-imported, if entered by bill of store, referring to the entry outwards, and exportation thereof; provided the property of such goods continue in the person by whom they were exported, and that the re-importation take place within six years from the date of the exportation. If the goods re-imported be foreign goods, they are subject to the

same duties as though they had not been previously imported. Under certain modifications, surplus stores are subject to the duties, &c., as if imported by way of merchandise. Certificates of the growth of sugar, coffee, cocoa, and spirits, from the plantations, are required; also of wine, the produce of the Cape of Good Hope. Goods, the produce or manufacture of the islands of Guernsey, Jersey, &c., and not made from foreign materials, may be imported duty free. The Treasury may permit the produce of our colonial fisheries to be imported direct from Guernsey, &c. Fresh fish and cured fish of every kind, of British taking and curing, may be imported duty free; also (on certificate,) blubber, train oil, &c. The owner or salvor of any property liable to the payment of duty saved from sea, may sell goods sufficient to defray the salvage of the same. All foreign goods derelict, &c., are subject to the same duties as on importation. Persons having such goods in their possession, without having given notice thereof to the proper officer of the customs, within twenty-four hours of such possession, shall forfeit the sum of £100. No goods subject to excise regulations shall be taken or delivered out of the charge of the officers of customs, (although the same may have been duly entered with them, and the full duties thereon may have been paid,) until such goods shall have been duly entered with the officers of excise, and permit granted by them for delivery of the same, and corresponding in all particulars with the warrant of the officers of the customs. Commissioners of customs are authorised, for the security of the revenue, to stamp any goods that may have been entered at the custom-house; the orders for stamping to be published in the London and Dublin Gazettes; the forging of such stamps incurring a penalty of £200. Excepting diamonds, bullion, and fresh fish, no goods may be landed on Sundays or holidays; and, from the 1st Sept. till the 31st of March, only between sun-rising and sun-setting; and, from the 31st of March to the 1st of September, only between the hours of 7 A.M., and 4 P.M.; and unless in the presence, or with the authority

of the proper officer of the customs, and at a legal quay. In the act referred to, will be found "A Table of Prohibitions and Restrictions Inwards," embracing a "List of Goods absolutely prohibited to be imported;" and, if any such goods be imported, they are forfeit. Prohibited goods, however, may be warehoused for exportation only.

For *entry outwards*, no goods may be shipped till entry of ship and entry of goods be made, and cocket granted, and the ship be cleared, under penalty of forfeiture of goods. The proper officers may demand, on passing of every entry, the sum of 1s.; and upon the issuing of any cocket, (see page 57,) if such cocket be for British goods, the sum of 1s. 6d.; or if such cocket be for foreign goods, or for foreign wines and spirits contained in glass, 2s. 6d. No ship to sail unless duly cleared outwards for her intended voyage, under penalty of £100 by the master. No goods to be taken on board until the master shall have delivered certificate of clearance of last voyage, and made entry outwards, under penalty of £100. If any drawback or bounty be allowable upon the exportation of any goods, or any duty be payable thereon, or any exemption claimed, such goods must be entered and cleared for shipment, according to prescribed forms referred to in the granting of such drawback, &c. An undue or fraudulent entry of such goods, subjects the party to a penalty of £100. Goods not valued according to their true value, may be detained, and (within two days) taken and disposed of for the benefit of the crown. On the exportation of coals to any British possession, the exporter must give security by bond in a penal sum of 40s. the chaldron, that the same shall be landed at the place named; such bond not to be liable to any stamp duty. Coals brought coastwise, may be exported without landing. No drawback of excise shall be allowed on any goods cleared, unless the person claiming drawback shall have given notice to the proper officer of excise. The searcher may open any package; but if found correct, he must repack it at his own expense. Before any ship shall be cleared outwards, the master shall deliver a content of such ship to

the searcher, setting forth the name and tonnage of such ship, the place or places of her destination, the name of the master, a detailed description of the goods on board, &c. The file of cockets and the victualling bill, shall thereupon be delivered by the searcher to the master of the ship, as the authority for his departure. If any passengers are going out, the master may pass an entry and receive a cocket in his name, for the necessary personal baggage of such passengers, and clear such baggage for shipment in their behalf. Officers may board any ship after clearance, or within four leagues of the coast, and demand the file of cockets and the victualling bill; and if there be any goods or stores on board not in those documents, they are forfeit; and if any goods described in them be not on board, £20 forfeit for every such package deficient. For falsification of cocket, penalty £100. Goods entered for drawback or bounty, must be entered in the name of the real owner. An agent, however, may pass entry, receive drawback, make declaration, &c. In like manner, a consignee may act for an owner residing abroad. No drawback allowed on the exportation of any goods, unless shipped within three years after payment of the duties inwards thereon; and no debenture for any drawback or bounty, to be paid after the expiration of two years from shipment of the goods; and no drawback allowed on goods which, by damage or decay, shall have become of less value for home use, than the amount of the drawback. Penalty for causing such goods to be cleared, £200, or treble the amount of the drawback, at the election of the commissioners of the customs. Debentures of drawback to be passed and delivered, due certificates having been given of shipment and exportation. Quantities and qualities of goods in bales to be verified by the press-packer thereof; in the master-packer's unavoidable absence, by his foreman; or, if the packer reside more than ten miles from the port, by declaration made and subscribed before a magistrate. Warehouse or debenture goods not duly exported, or fraudulently landed in any part of the United Kingdom, become for-

feit, together with the ship or vessel employed; and any person by whom or by whose orders or means, such goods shall have been so re-landed, &c., shall forfeit treble their value. Drawback of the whole of the duties of customs allowed for wine for officers in the royal navy on actual service, and not exceeding certain quantities in any one year. Persons entering wine for drawback, must declare the name and rank of the officer claiming the same. Naval officers leaving the service, or exchanging from one ship to another, may, by permit from the officers of customs, transfer their wine to other officers; or they may land it for home use, on payment of the duties. Pursers of the royal navy may ship tobacco for the use of the crew, free of duty, on giving bond. Pursers removed from one ship to another, may tranship tobacco by permission of the collector. Not more than 2 lbs. of tobacco, by the lunar month, allowed for each seaman; nor shall any greater quantity be shipped at any one time, than sufficient to serve the crew for six months, in that proportion. Penalty for shipping and exporting prohibited goods, double the value of such goods. "A Table of Prohibitions and Restrictions Outwards," enumerates and describes the several sorts of goods, which are either absolutely prohibited to be exported, or which may be exported only under certain restrictions. The island of Malta and its dependencies are deemed to be in Europe. The general management of the customs is according to British currency and imperial weights and measures. No overpaid duty to be returned after the expiration of three years. Penalty for counterfeiting or falsifying, or wilfully using when counterfeited or falsified, any document relating to clearance, lading, unlading, &c., £200. Agents must produce written authorities for acting. Falsifying declaration, or answering questions untruly, penalty £100. Ships, goods, &c., seized as forfeit, or detained as undervalued, may be returned to their owners on such terms and conditions as the commissioners of the customs may think fit to prescribe. Forfeitures and penalties may also be remitted or mitigated in certain

cases. Penalty to the master for not bringing a ship to at proper stations, £100. Officers may be stationed on board of any ship within the limits of any port in the United Kingdom; and the master is bound, under forfeiture of £100, to provide every such officer sufficient room under the deck for his bed or hammock. For goods warehoused in the royal warehouses, rent is payable. Goods not duly cleared within three calendar months, or sooner if of a perishable nature, may be sold by public auction for the payment of freight, (if not paid), duties, warehouse rent, &c. No ship or boat employed ordinarily for the carriage of letters, to import or export goods, unless by permission of the commissioners of customs, under the penalty of £100. No person to act as agent for transacting business in the London custom-house, without license from the commissioners, with security on bond in one surety in the sum of £1000. The commissioners of the Treasury may, if necessary, revoke such licenses. These regulations not to extend to clerks or servants of individuals, or to clerks in the long room. A licensed agent, or agents in partnership, may appoint clerks to act for them only; no such clerk to act for more than one agent or partnership. The commissioners of the Treasury are authorized to extend these regulations to any other port in the United Kingdom.

No day shall be kept as a holiday at the custom-house, except Christmas-day and Good Friday, and any days appointed for a general fast or a general thanksgiving, and the birthday of the sovereign. On pain of dismissal, no officer, clerk, or other person belonging to the customs, shall receive any fee or reward.

CUSTOS BREVUM. A principal clerk belonging to the Court of Common Pleas, who has the custody of the writs when returned.

CUSTOS ROTULORUM. The officer who has the custody of the rolls or records of a county.

CUTLERY. The cutlery of London—knives, forks, scissors, razors, shears, scythes, &c.—was formerly considered to be of a quality superior to any other in the

kingdom : Sheffield, however, is the principal seat of the manufacture. The manufacture of cutlery is regulated by the act 59 Geo. 3, c. 7.

CYDER. The juice of apples expressed and fermented. Hereford, Monmouth, Gloucester, Worcester, Somerset, and Devon, are the chief cyder counties. The duty upon cyder (10s. per barrel) was abolished in 1830.

DATES. This fruit is imported from Tunis, Alexandria, Smyrna, &c. Tunis dates are the finest.

DAY-RULE. A day-rule or writ, is an order of court permitting a prisoner in custody in the King's (or Queen's) Bench or Fleet, to go, for *one day*, accompanied by an officer of the court, beyond the bounds or rules of the prison.

DEBENTURE. A writ or note, an instrument of the nature of a bond, or bill, by which a debt is claimable. Thus, by public companies, national establishments, &c., it is usual to issue debentures for money advanced, either bearing interest or conferring some other specific advantage on the holder. In commerce, a certificate from the officers of the customs, given to the exporters of goods on which a drawback or bounty is allowed. Such debentures must be on 5s. stamps. On the exportation of sail-cloth or linens, certificates or debentures for bounty are allowed duty free.

DECLARATION. A legal record or specification of the cause of action by a plaintiff against a defendant.

DECREE. A decree, either interlocutory, or final, is the judgment of a court of equity on any bill preferred.

DEED. Writing, sealing, and delivering, are three essentials of a deed, or instrument, comprehending a bargain or contract between parties. To be strictly correct in all points, a deed should be on parchment. It must also have the regular stamps imposed upon it, or it cannot be given in evidence. A deed is voidable if it contain any interlineation, or any blank to be filled up after signing, sealing, &c.

DEFAULT. Judgment is said to go by default, when a defendant fails to appear in court on a day assigned.

DEFEASANCE. The indorsement expressing the conditions, if any, upon which a warrant of attorney is given. Also the term applied to a collateral deed, made at the same time with a feoffment, or other conveyance, containing certain conditions, upon the performance of which, the estate then created may be annulled or defeated.

DELEGATES. Persons deputed, or delegated, to act for others. A set of men appointed by a public body, to execute some special mission. The Court of Delegates, the highest of the ecclesiastical courts, was abolished by act 2 and 3 Will. 4, c. 92; since which an appeal lies only to the king, (or queen,) in council; and no commission of review from the passing of that act, is to be granted.

DEMESNE. Demesne, or demain, is a term distinguishing the lands which a lord of a manor has in his own hands, or in those of his lessee, from those which are freehold or copyhold. After the Norman conquest, they who held their lands immediately from the crown, were said to hold *in capite*: these had other chiefs, lords, or barons, subordinate to them, denominated the *mesne* lords. The *mesne* lord divided his manor, as the crown had divided the kingdom, into two portions: one, which he retained for his own use, was partly cultivated by his villeins and copyholders, and was called his demesnes; while the other portion was parcelled out amongst his dependents in compensation for their services.

DEMURRAGE. Allowance made by a freighter for detaining a ship longer than the period originally fixed for her sailing.—*Vide Chitty's Commercial Law*, Vol. III. p. 426, *et seq.*

DEMURRER. A stop, or delay, put to any suit or action, on a legal objection made, which must be determined by the court previously to any further proceedings.

DENIZEN. Generally, a citizen, or freeman. In law, an alien who has obtained letters of naturalization, by which he enjoys the right of purchasing and devising land. He is excluded, however, from all offices of state

trust, civil and military, and is incapable of holding a seat in Parliament, &c.

DEODAND. From *Deo dandum*, an atonement to God for the destruction of one of his creatures. For instance, a horse, carriage, &c., which may have accidentally caused the death of a human being, becomes forfeited, either to the king, or to the lord of the manor, as grantee of the crown, and ought to be sold, and the proceeds given to the poor. It is more usual, however, on coroners' inquests, for a specific sum to be named and levied, as a fine, upon the owner of the said horse, carriage, &c.

DEPOSITION. A term for an affidavit in writing. Also the written testimony of a witness, in answer to interrogatories exhibited in a court of equity.

DERELICTS. Goods cast away, or relinquished, by wreck or otherwise. By the act 6 and 7 Will. 4, c. 60, § 7, repealing certain sections of the act 3 and 4 Will. 4, it is enacted, that goods found derelict, as jetsam, flotsam, lagan, &c., shall, if not claimed within twelve months, be condemned as droits of Admiralty; also, that the Commissioners of Customs be authorized to inquire into the extent to which such goods may have been damaged, and to make such reduction of the duties thereon, as may be deemed reasonable and just.

DETAINER. An instrument detaining a debtor in custody on a new claim.

DETINUE. A writ against one who, having goods or chattels delivered to keep, refuses to re-deliver them.

DEVISE. To bequeath; a bequest by will, &c.

DIAPER. Flowered linen, for table-cloths, napkins, &c.; manufactured in Scotland, the North of Ireland, Germany, &c.

DICE. According to act 9 Geo. 4, c. 18, all pieces of bone, ivory, &c., used in any game, having spots, figures, &c., denoting any chance, marked thereon, are considered to be dice; and, should more than six chances be expressed on any one piece, such piece is to be charged with the full duty (20s.) of a pair of dice.

DIMITY. A textile fabric, ornamented in the loom

with raised stripes or fancy figures, and much used for bed-room furniture, &c.

DISCLAIMER. A plea exhibiting a direct denial or renunciation.

DISCOUNT. Allowance for immediate payment of money, which would not otherwise be paid till some future period. "When a bill of exchange," observes M'Culloch, in his *Dictionary of Commerce*, "is presented at a banker's for discount, it is the practice to calculate the simple interest for the time the bill has to run, including the days of grace, (see p. 35,) which interest is called the *discount*; and this being deducted from the amount of the bill, the balance is paid over to the presenter of the bill." This, though the usual practice, is inaccurate. M'Culloch justly remarks, in continuation, that "the true discount of any sum for any given time, is such a sum as will in that time amount to the interest of the sum to be discounted. Thus, if interest be five per cent., the proper discount to be received for the immediate advance of £100 due twelve months hence, is not £5, but £4 15s. 2½d.; for this sum will, at the end of the year, amount to £5, which is what the £100 would have produced. Those, therefore, who employ their money in discounting, make somewhat more than the ordinary rate of interest upon it; for a person discounting £100, due at the end of a year, advances, supposing interest to be £5 per cent., only £95; so that, as this £95 produces £100 at the period in question, the interest received has really been £5. 5s. 3d. per cent." After this elucidation, M'Culloch gives the following rule for calculating discount on correct principles:—

"As the amount of £100 for the given rate and time, is to the given sum or debt; so is £100 to the present worth; or so is the interest of £100 for the given time, to the discount of the given sum."

DISINHERISON. The cutting off from an hereditary succession.

DISSEISIN. The wrongful putting out of one who is possessed or seized of a freehold.

DISTRESS. The distraining or taking the effects of a tenant, for the purpose of satisfying a landlord for rent over due ; or for any land-tax, assessed taxes, poor rates, church-rates, tithes, highway-rates, sewer-rates, &c.—*Vide act 57 Geo. 3, c. 93*; and act 7 and 8 Geo. 4, c. 17. The landlord himself may make the distress, but it is generally made by some broker or other person employed by him ; in which case the landlord must give to such person an authority in writing, according to a prescribed form, and called a warrant of distress. The proper and regular way of making a distress for rent in arrear is, to go upon the premises for which the rent is due, and take hold of some piece of furniture or other article there, and say, (if the distress be made by the landlord himself,) “ I seize this table (or other thing, as the case may be,) in the name of all the goods and effects on these premises, for the sum of £20, being half a year’s rent due to me on Midsummer-day last.” Or (if the distress be made by some person duly empowered by the landlord,) say, “ for the sum of £20 due to B. D., esq., the landlord of these premises, at Midsummer-day last, by virtue of an authority from the said B. D. esq., to me given for that purpose.” An inventory is then to be made of so many of the goods, &c., as will be sufficient to recover the rent and expenses of the distress, appraisement, and sale ; which is not required to be on a stamp, as the 23 Geo. 3, c. 58, § 1, expressly excepts an inventory of goods distrained. An appraiser is not necessary till after the end of the five days allowed the tenant by 2 W. and M., to pay the rent or replevy the goods. The man in possession of the goods is to be paid 2s. 6d. per day, if kept by the tenant, and 3s. 6d. per day, if he keeps himself ; but, for a distress under £20, it is less.

DISTRINGAS. A writ of *distringas* authorises an officer of court to seize or distrain for a debt due to the crown, &c. The process against a body corporate, is by a writ of *distringas*, to distrain them by their goods and chattels.

DIVIDEND. Interest of stock from the public funds ; proportionate payment to creditors from a bankrupt’s

estate, &c. The Bank dividends become due on the 5th of January, April, and July, and on the 10th of October. About a month previous to the day on which the dividend on any stock may become due, the books are shut, and no transfer is allowed to be made, except under special circumstances. The dividends are payable four or five days after the days on which they respectively become due; and transfers may be made on the following day. It is understood, that the sums which the payments of the dividends throw into circulation at the times they are effected, are—in April and October, about £5,000,000 each period; in January and July, about £9,000,000 each period.—See *Funds*.

Dock. An artificial basin, either wet or dry, for the reception of shipping. Dry docks are employed for the building, examining, and repairing of ships; wet docks, for the loading and unloading of cargoes, &c. The principal docks in the Thames are; the West India, London, East India, St. Katherine's, and Commercial Docks. The West India Docks extend across the isthmus which unites the Isle of Dogs to the Middlesex bank of the Thames. The London Docks, chiefly designed for ships laden with brandy, wine, rice, tobacco, &c., are in Wapping. The East India Docks, originally meant for ships employed by the East India Company, but now free for vessels from all parts, are at Blackwall, three miles and a half from the site of the Royal Exchange. St. Katherine's Docks are immediately below the Tower of London, consequently near the Custom House and the city. The Commercial Docks, most resorted to by ships laden with corn, timber, and other bulky goods, are on the south side of the river, facing the west end of the West India Docks. There are docks also at Liverpool, Bristol, Hull, Goole, Leith, &c.

DORROCK. A stout figured linen, made at Dorrock, in Scotland, and used for table-cloths, &c.

DOWER. Property to which a widow is entitled on the death of her husband, for the support of herself and children.

DRAWBACK. The paying back of duties already paid upon an article, when it is designed for exportation. The object of a drawback, is to enable goods or merchandise affected by taxation, to be exported and sold in foreign markets, on the same terms as though they had not been taxed at all. Most articles imported into England may be warehoused for subsequent exportation, when they neither pay import-duties nor receive a drawback. Governments generally have free ports, or ports of deposit or entrepôt, where goods may be thus imported and deposited, free of duty while remaining in deposit, or bond, (that is, under due security by bond,) and subject to duty only in case of their being disposed of for consumption. By the act 3 and 4 Will. 4, c. 52, it is declared that no drawback shall be allowed upon the exportation of any goods, unless such goods be shipped within three years after the payment of the duties upon them inwards.—See *Customs*.

DROITS. Droits (or rights) of the Admiralty, constitute a portion of the hereditary revenues of the crown, and result from the capture of enemies' ships coming into port, ignorant that hostilities have commenced. Also from the proceeds of wrecks.

DRUGGET. A coarse woollen manufacture, either plain or figured, used as a covering, or humble substitute, for carpets.

DUBBER. An Indian bottle, or other vessel, made of untanned leather, and of all sizes, to hold ghee (clarified butter from goats' milk), oil, &c.

DUNNAGE. Faggots, boughs of trees, loose pieces of timber, &c., placed in the bottom and against the sides of a ship's hold, to raise the cargo, or to protect it against leakage, &c. Without the requisite quantity of dunnage, a ship is not deemed sea-worthy.

DURESS. A state of constraint or compulsion.

EARNEST. Money advanced by the purchaser of goods to bind the seller to whatever terms may have been agreed upon, “No contract for the sale of any goods, wares, and merchandizes, for the prices of £10 sterling or

upwards, shall be allowed to be good, except the buyer shall accept part of the goods so sold, and actually receive the same, or give something in *earnest* to bind the bargain, or in part payment, or that some note or memorandum in writing of the said bargain, be made and signed by the parties, to be charged by such contract, or their agents thereunto lawfully authorised." Act 29 Cha. 2, c. 3. In trade, if a person retain any portion of a lot of goods that he may have purchased, he is liable for payment of the whole. If dissatisfied with any *portion*, he must return the *whole*, or be liable for the *whole*.

EAST INDIA COMPANY. The East India Company dates its origin from the year 1599, in an association of merchants formed in London, with a capital of £30,000. This association was incorporated by charter in 1600. The company pursued its scheme successfully, and, in 1609, obtained a renewal of its charter. Three years afterwards, a capital of £429,000 was raised; and in 1617, it was further increased by a new subscription of £1,600,000. A profit amounting on some occasions to 200 per cent. on the capital employed, and averaging 87½ per cent. was the stimulus to subscription for East India shares. The 6° Anne, c. 17, conferred on the company the exclusive privilege of trading eastward of the Cape of Good Hope, to the straits of Magellan. About the year 1611, it obtained permission from some of the native powers, to establish factories at Surat, Ahmedabad, Cambaya, and Goga. "From factories to fortifications; from fortifications to garrisons; from garrisons to armies; and from armies to conquest, has been the invariable progress of the European settlers in the East." The following may be regarded as an approximation to the actual state of the British possessions in India:—

I. Bengal Presidency, 328,000 square miles, with a population of 57,500,000.

II. Madras Presidency, 154,000 square miles; population, 15,000,000.

III. Bombay Presidency, 11,000 square miles; population, 2,500,000.

IV. The Deccan territories, sometimes included in the presidency of Bombay, 60,000 square miles; population, 8,000,000.

V. India beyond the Ganges, 77,000 square miles; population, 301,000.

VI. British Allies and Tributaries, 550,000 square miles; population, 40,000,000.

In 1784, Mr. Pitt's India bill was passed, by which a *board of control* for India was established, consisting of six privy-councillors to be selected by the king, whose duty it was declared to be to superintend the territorial concerns of the company, and to inspect all letters passing to and from India between the directors and their agents, with the exception of such only as are purely commercial. By a subsequent act, the king obtained the power of ratifying the appointment of the governor-general, so that his appointment rests substantially with the government. The chancellor of the exchequer, and one of the secretaries of state, are, by virtue of office, members of the board. Of the other four members, the senior is president of the board, and, in fact, transacts the whole business.

The *court of directors* consists of twenty-four proprietors, each of whom must be possessed of at least £2000 stock, who are elected for four years, six going out annually by rotation, but being re-eligible at the expiration of a year. Thirteen form a court. The chairman and deputy-chairman are elected annually. The directors nominate the governors of the presidencies, but their nomination is subject to the approval of the crown. They appoint a secret committee to forward to India such despatches as the board of control consider should be secret; all commercial letters are prepared by them; and for the dispatch of business, they are divided into three committees, viz., of correspondence, of buying and warehousing, and of shipping. The proprietors vote according to the amount of stock which they possess. The lowest sum which entitles to a single vote is £1000. There are about 2000 proprietors in all, above 50 of whom have four votes each; about 370 two votes; and above 1500

one vote. Any person may purchase and hold East India stock.

The executive government of the company abroad is conducted at the three presidencies of Bengal, Madras, and Bombay. In Bengal, the government consists of a governor-general and three councillors. At Madras and Bombay, of a governor and three councillors. The commander-in-chief of each presidency may have a seat in the council; but the other two councillors must be civilians who have been at least ten years in India. The judicial business is conducted partly by the company's courts, partly by the king's courts. In the former there are three grades of judges, viz., the district, the provincial, and the judges of the *sudder* court. There are also two classes of native judges, viz., *moonsifs* and *sudder ameens*. Trial by jury is confined to the supreme courts whose jurisdiction extends to Europeans generally.

By the 3° and 4° Will. 4, c. 85, the company's functions are exclusively political; and the government of India rests with the company and the board of control, nearly on the plan of Pitt's act, till the 30th of April, 1854, when, if government see fit, the company must lay down its authority.

The military force maintained in India, is generally from 200,000 to 250,000 men; nearly one-half of whom are natives. The expenses of the army are from £9,000,000 to £10,000,000 per annum. The Bengal army supplies the Ajmeer, Neemutch and Atow corps; the Bombay army, the Gujerat, Mulligaum, and Poonah forces; and the Madras army, the Mahratta, Hyderabad, and Nagpoor divisions.

The total gross revenue of the East India Company is about £20,000,000, and is chiefly derived from a land-rent, or annual payment, made by the holders of the soil, and from the company's monopoly of salt and opium. The interference and prohibition of the Chinese government, however, with respect to the latter, have operated as a severe check. The expenditure leaves a net surplus revenue of above £1,000,000; but the debts of the com-

pany exceed £60,000,000. By the act 3 and 4 Will. 4, c. 85, all the real and personal property of the company is now vested in the crown, to be held in trust for the company. Meanwhile a dividend of 10½ per cent. is to be paid in England to the stock-holders, and provision is made for the formation of a security-fund for the discharge of the dividend.

Many restrictions were imposed upon the emigration of British subjects to India, until the passing of the act 3 and 4 Will. 4, c. 85. Any natural-born subjects of the British sovereign now establish themselves in any part of India which was under the government of the company on the 1st of January, 1800, or in any part of the countries ceded by the nabob of the Carnatic, or in the province of Cuttack, or either of the settlements of Singapore and Malacca, and that without any license whatever. With regard to the rest of India, a license must be obtained from the board of control, or the court of directors, or a governor.

Private traders were for a great length of time rigidly excluded from trading with any part of the East Indies. This monopoly, however, was broken down in part on the renewal of the company's charter in 1814; and even the very first year of free trade to India, showed an extraordinary increase on British exports to India.

East India sugar pays 8s. per cent. more of duty on importation into Great Britain, than West India sugar; coffee 3d. per pound more; spirits, 6s. per gallon more; and tobacco 3d. per pound more.

The monopoly of another important branch of Eastern trade, with China, was continued to the company by the act of 1813. By the act of 24th August, 1833, this trade also was thrown open to the public. The principal object of the company's trade with China, was to provide tea for the consumption of Britain. In 1824, it was ascertained that the company had brought forward little more tea for the consumption of that year, than in 1801, although the population had increased 3,500,000 within that period. Hence the price of tea was about 25 per cent. more than

it ought to have been, and at least 50 per cent. above the prices at Hamburg and New York. The company made a stand in 1832, for the continuance of this monopoly ; but government resolved to abolish it also, and throw the tea-trade open, and cargoes of tea, under the new regulations, speedily arrived in this country. Tea imported by private traders pays the duty at the custom-house like other imported articles ; and if any dispute arise as to the settlement of the duties, samples are sent to London, where the matter is settled. Bohea tea pays 1s. 6d. per lb. of duty ; congou, souchong, and hyson-skin, 2s. 2d. ; young hyson, hyson, and gunpowder, 3s.—See *Tea*.

EJECTMENT. *Ejectione Firmae*, or ejectment, is an action at law, by which a person unjustly ousted from the possession of an estate for years, may recover possession. This action is now resorted to as the general mode of trying disputed titles to lands and tenements, founded upon a fictitious lease, entry, &c. It also affords an easy and expeditious remedy to landlords, against tenants who may persist in holding over their term, or whose rent may be in arrear. According to act 4 Geo. 2, c. 28, every landlord who has by his lease a right of re-entry in case of non-payment of rent, when half a year's rent may be due, and no sufficient distress is to be had, may serve a declaration in ejectment on his tenant, or fix the same on some notorious part of the premises, which shall be valid without any formal re-entry or previous demand of rent. And a recovery in such ejectment shall be final and conclusive, both in law and equity, unless the rent and all costs be paid or tendered within six calendar months afterwards. To facilitate the proceedings in this action, act 1 Geo. 4 provides, that when the term or interest of any tenant holding under a lease or agreement in writing, shall have expired, or been determined, either by the landlord or tenant, by regular notice to quit, and such tenant shall refuse to deliver up possession, after demand in writing served upon the tenant, and the landlord shall thereupon proceed by action of ejectment for the recovery thereof, it shall be lawful for the landlord, at the foot of

the declaration, to address a notice to the tenant or any one holding under him, requiring him to appear in court on the first day of the following term, there to be made defendant, and to find bail, if required by the court. And it shall be lawful for the landlord to move the court for a rule for such tenant to show cause why, upon being admitted defendant, he should not undertake, in case a verdict passed for the plaintiff, to give a judgment, to be entered up against the real defendant, of the term next preceding the time of trial, and also to enter into recognizances to pay the costs of the action. And the court may, if necessary, make the rule absolute, either in the whole or in part, and order such tenant to give such undertakings, and to find such bail; and upon the party neglecting so to do, an absolute rule shall be made for entering up judgment for the plaintiff. After undertakings given and bail found, the judge may stay the execution till the fifth day of the next term absolutely, on tenant's finding security not to commit waste or other wilful damage, &c. When the landlord shall elect to proceed in ejectment under the above-named provisions, and the tenant shall have found bail, then if the landlord shall be nonsuited, or a verdict pass against him, there shall be judgment against him with double costs. Where a tenant at a rack-rent may have vacated the premises, and half-a-year's rent is in arrear, the landlord has a summary remedy by which to recover possession, although the lease may contain no clause of re-entry. Act 11 Geo. 2, c. 19, § 16, provides, that if any tenant holding any lands, tenements, or hereditaments, at a rack-rent, or where the rent reserved shall be full three-fourths of the yearly value of the demised premises, who shall be in arrear for one year's rent, (extended by act 57 Geo. 3, c. 52, to tenants who shall be in arrear half-a-year's rent, and who shall hold the lands under any demise or agreement, whether written or verbal, and although no right or power of re-entry be reserved or given to the landlord, in case of non-payment of rent,) shall desert the demised premises, and leave the same uncultivated or unoccupied,

so as no sufficient distress can be had to countervail the arrears of rent, it shall and may be lawful for two or more justices of the peace of the county, riding, division, or place, (having no interest in the demised premises,) at the request of the lessor or landlord, or his bailiff or receiver, to go upon and view the same, and to affix, or cause to be affixed, on the most notorious part of the premises, notice in writing, what day (at the distance of fourteen days at least,) they will return to take a second view thereof; and if upon such second view, the tenant, or some person upon his behalf, shall not appear and pay the rent in arrear, or there shall not be sufficient distress upon the premises, then the said justices may put the landlord or lessor into the possession of the said demised premises; and the lease thereof to such tenant, as to any demise therein contained only, shall from henceforth become void.

ELEGIT. This is a writ of execution, by which a creditor obtains possession of a moiety of his debtor's lands, and all his effects, beasts of the plough excepted. This moiety he is entitled to hold until his entire claim shall be satisfied; during which time he is termed "tenant by elegit."

EMBARGO. A prohibitory order, issued by the government of a state to prevent the sailing of foreign (or, in certain exigencies, home) shipping from its ports.

EMBRACERY. The offence (liable to punishment by fine and imprisonment) of attempting to bribe, or in any way to influence or intimidate, a jury, or a judge, or any officer employed in the due administration of the law.

ENGROSS. To write out, in a hand peculiar to law documents, any lease, deed, agreement, &c. Also, in commerce, to buy up or monopolize "corn and other dead victuals," with intent to sell them again.

ENROLMENT. Deeds of bargain and sale, &c., to pass estates of inheritance, require to be enrolled in one of the courts of Westminster, or with the *custos rotulorum* of the county where the estates may lie, within six months after date; otherwise such instruments are invalid. No per-

son can be bound apprentice without deed indented; and, according to the custom of London, and most other bodies corporate, this indenture must be duly enrolled. In London especially, if the indenture be not enrolled before the chamberlain within a year, upon petition to the mayor and aldermen, a *scire facias* shall issue against the master, to show cause why the indentures were not enrolled; and if it should appear to be the fault of the master, the apprentice may sue out the indentures, and be discharged. On the other hand, if the apprentice refuse to be enrolled within the first year, the master may bring his indenture to the chamberlain, who will record it, and prevent such apprentice from suing out his indenture.

ENTAIL. An estate is said to be entailed, when its succession is limited to the heirs of a man, &c.

ERROR. A writ of error, issued to judges of a superior court, empowers them to examine the record upon which a judgment had been given in an inferior court; and to affirm or reverse the said record.

ESSOIGN. In law, a plea or excuse for one who may have been summoned, but who is not prepared to answer an action, &c. The "Essoign day of the Term," appointed for the hearing of such pleas or excuses, is the first day of the term on which the courts are opened.

ESTREAT. A recognizance is said to be *estreated*, that is, extracted from the record, when any of its conditions may have been broken. The forfeited bond is then sent up to the Exchequer, whence a process will issue to recover the fine incurred by forfeiture.

EVIDENCE. Testimony, oral or written, in a court of justice.

EXCHANGE. (See Bill of.) "The *par* of exchange signifies the equivalence of a certain amount of the *standard* currency of the one country in the *standard* currency of the other. Thus, according to the Mint regulations of Great Britain and France, £1 sterling is equal to 25fs. 20 cents, which is said to be the *par* between London and Paris. So, when a bill for £100, drawn on London, is worth 2,520fs., and conversely, the

exchange is said to be at par. When £100 in London, buys a bill on Paris for *more* than 2,520fr., the exchange is said to be in favour of London, and against Paris; and when, on the other hand, £100 will not suffice to buy a bill for 2,520fr., the exchange is against London and in favour of Paris. The *course* of exchange is the current price between two places, which is always fluctuating, being sometimes above and sometimes below par, according to the circumstances of trade, and the consequent debt due to or from one country, from or to the other.” —*FORTUNE’s Epitome of the Stocks and Public Funds.*

EXCHEQUER. One of the ancient courts of record, established by William I. as part of the *aula regia*. It derives its name from the chequered cloth, resembling a chess-board, with which the table of the court is covered; and on which, when certain of the crown accounts are made up, the sums are marked and scored with counters. The original business of this court was to bring actions to recover debts due to the crown; but by fiction, all sorts of personal suits may now be prosecuted in the Exchequer. It is a court of law and also of equity. In the latter, the proceedings are by English bill and answer, according to the practice of the Court of Chancery, with this difference, that the plaintiff must set forth he is a debtor to the crown, whether he be so or not; and the complaint is invariably with this fiction, that the plaintiff is, by reason of the injury sustained by the conduct of the defendant, the less able to pay the debts which he owes to the crown. In the equity branch of this court, clergymen usually exhibit bills. An appeal from the equity side lies immediately to the House of Peers; but from the common law side, agreeably to act 31 Edw. 3, c. 12, a writ of error must be first brought into the court of Exchequer chamber; and, from the determination there had lies, in the *dernier ressort*, a writ of error to the House of Lords. The Court of Exchequer Chamber was founded by Edward III. Possessing no original jurisdiction, it is only a court of appeal, to correct the errors of other jurisdictions.

EXCISE. A tax or duty on articles produced and consumed at home. Such duties were first established in 1643 by the Long Parliament. Nearly half the revenue of the kingdom is now raised by excise-duties. The various excise laws were consolidated by the 7^o and 8^o Geo. 4, c. 53, which, with the modifications and amendments of 4^o and 5^o Will. 4, c. 51, form our excise statute law.

EXECUTION. A legal process for obtaining possession of any thing recovered by judgment of law. In cases of debt, &c., judgment having been obtained, the body or goods of the debtor may be taken in execution. All writs of execution must be sued out within a year and a day after judgment has been entered. But the court may, on cause shown, order such judgment to be vacated, and execution to be stayed or set aside, and enter an arrest of judgment, or grant a new trial or new writ of inquiry.

EXECUTOR. A person appointed by the last will and testament of another, to dispose of the estates or property of the deceased. All persons are capable of being made executors who are capable of making a will, and many others besides; as *femmes couvertes*, or married women, and infants; even infants unborn, or *en ventre sa mère*, may be made executors. Executors are of two sorts; rightful, and wrongful: the former appointed by the will of the testator, the latter taking upon themselves the office by intrusion. A wrongful executor is liable to the trouble of an executor, without any of the profits or advantages. Upon proving the will, the original is to be deposited in the registry of the ordinary, by whom a copy is made upon parchment under his seal, and delivered to the executor or administrator, together with a certificate of its having been proved before him; and this is termed the *probate*. If all the goods of the deceased lie within the same jurisdiction, the probate is to be made before the ordinary or bishop of the diocese where the deceased resided; but if he had goods and chattels to the value of £5 in two or more district dioceses or jurisdictions, the will may be proved before the metropolitan or archbishop of the province in which the deceased died. If the said

goods, &c. be in different dioceses of different provinces, the will must be proved, or administration taken out, in the archiepiscopal court of each province. But if they lie in one diocese of each province, administration may be granted by each bishop of each diocese, of such goods, &c., as may be within his jurisdiction. By 37 Geo. 3, c. 9, § 10, any person who shall administer to the personal estate of any person dying without proving the will of the deceased, or taking out letters of administration, within six calendar months after such person's decease, shall forfeit the sum of £50. If an executor die before probate, administration must be taken out with the will annexed; but if an executor die, his executor will be executor to the first testator, and no fresh probate will be required. It will be sufficient if one only of the executors prove the will; but if all refuse to prove, they cannot afterwards administer, or in any respect act as executors. If an executor become bankrupt, the Court of Chancery will appoint a receiver of the testator's effects, as it will also upon the application of a creditor, if he appear to be wasting the assets. If an executor once administer, he cannot afterwards renounce; and the ordinary may in such cases, issue process to compel him to prove the will. If an executor refuse to take upon him the execution of the will, he shall lose the legacy therein contained. If a creditor constitute his debtor his executor, this is at law a discharge of the debt, whether the executor act or not; provided, however, there be assets sufficient to discharge the debts of the testator. The first duty of an executor or administrator is to bury the deceased in a suitable manner; and if the executor exceed what is necessary in this respect, it will be deemed a waste of the substance of the testator. Probate having been obtained, the executor or administrator, must proceed to make an inventory of all the goods and chattels, whether in possession or action, of the deceased, which, if required, must be delivered to the ordinary upon oath, in the presence of two credible witnesses. The next duty is to collect in all the goods and chattels of the deceased, real or personal, whether in

possession, as ready money, money in the funds, goods, cattle, stock in trade, or on farm, &c. ; or in action, as debts owing to the deceased, securities for money, &c. Next the payment of the debts of the deceased, according to the following priorities, otherwise the executor will be personally responsible. 1. The necessary funeral charges, expenses attendant on proving the will, &c. 2. Debts due to the crown by record or specialty. 3. Such debts as are by particular statutes to be preferred to all others ; as money due from overseers of the poor, for rates collected by them and not paid. 4. Debts of record, as judgments, (if properly docketed or entered according to 4 and 5 Will. and Mary, c. 20,) debts due under a decree of a court of equity, and debts due on mortgage. 5. Recognizances at the common law, statutes merchant and staple, and recognizances in the nature of statutes staple, pursuant to 23 Hen. 8, c. 6. This must be understood of recognizance and statutes forfeited, where the recognizances are forfeited, or where they are for keeping the peace, good behaviour, &c., and the statutes are for performing covenants, &c. 6. Debts due on special control, as for rent in arrear, and debts due on bonds or covenants under seal. 7. Debts on simple contract, as bills of exchange, promissory notes, or verbal promises, as well where the deceased has really promised, as where the law will imply that he has, as for goods bought, &c. ; and amongst these simple contract debts, wages due to servants are first to be paid. 8. Legacies, &c. By the custom of merchants, an executor or administrator may indorse over a bill of exchange or promissory note. An executor or administrator may also, on the death of a lessee for years, assign over the lease, and shall not be answerable for rent after such assignment; nor shall he be liable for rent due after the lessee's death, from premises which in his life-time he had assigned to another. A mortgage made by the testator must be discharged by the representative out of the personal estate, if there be sufficient to pay the rest of the creditors and legatees. Where such mortgage, however, may not

have been incurred by the deceased, it is not payable out of the personal estate. By act 3 and 4 Will. 4, c. 42, § 14, an action of debt upon simple contract shall be maintainable in any court of common law, against any executor or administrator.

With reference to intestate persons, "the statute of distributions expressly excepts and reserves the customs of the city of London, of the province of York, and all other places having peculiar customs of distributing intestate effects. 22 and 23 Charles 2, c. 10, explained by 29 Charles 2, c. 30, enacts, that the surplusage of intestates' estates (except of *femes covertes*, which are left as at common law,) shall, after the expiration of one full year from the death of the intestate, be distributed in the following manner :—One third shall go to the widow of the intestate, and the residue in equal proportions to his children, or if dead, to their representatives; that is, their lineal descendants. If there are no children or legal representatives existing, then one moiety shall go to the widow, and the other moiety to the next of kindred, in equal degree, and their representatives; if no widow, the whole shall go to the children; if neither widow nor children, the whole shall be distributed amongst the next degree of kindred and their representatives. But no representatives are admitted amongst the collaterals further than the children of the intestate's brothers and sisters."

EXIGENT. Should a sheriff return *non est inventus* upon all the writs, a "*writ of exigent*" may be issued; which writ requires the sheriff to cause the defendant to be proclaimed, required, or exacted, in five county courts successively; and if, having been so exacted, he should not appear, he is outlawed; that is, excluded from, or deprived of, the benefit of the laws.

EX-OFFICIO. Whatever may be done by virtue of the power invested in a person holding office, is said to be done *ex-officio*.

EX-PARTE. A statement in which only one party concerned gives an account of a transaction, is termed an *ex parte* statement.

EXPORT. To send or carry commodities from one country to another. Articles so sent or carried, are termed exports.—See *Customs*.

EX POST FACTO. An act which takes cognizance of a preceding act. An *ex post facto* law, is a law made to meet some particular offence previously committed.

EXTENT. An "Extent in Aid," is a writ issued at the instance and for the benefit of a crown debtor, for the recovery of a debt of his own ; or it may be had against a principal debtor to the crown, at the instance and for the benefit of his surety, who has paid the crown debt. An "Extent in Chief," is a writ issued on a judgment on *scire facias*, for a crown debt, or an information for penalties in the Court of Exchequer, against the body, lands, and goods of the defendant. No notice is given to defendants of the execution of such commissions ; nor can a defendant, taken in execution under an extent, be admitted to bail.

EYRE. The word *eyre*, or *eire*, in French, is derived from the Latin *iter*, a journey ; whence the term "Justices in Eyre," signifying the itinerant court of justices, or those who journey from town to town to hold assizes.

FACTOR. Commercially considered, an agent employed to transact business for a merchant who generally, though not invariably, resides in another country. Much of the foreign trade of this and other countries, is carried on by means of factors. The offices of factor and broker, are in some respects identical, but in others widely different. The factor is in possession of the goods ; and, in consequence of its being usual to advance money upon them, has also a special property in them. He may also sell or buy in his own name, and upon credit, and his contract binds his principal. Merchants employing the same factor, run the joint risk of his actions. A supercargo differs from a factor in this ; that the business of the former is limited to the disposal of a particular cargo which he accompanies to the foreign market, whereas, a factor has a fixed residence, and executes business for different merchants. A factor is paid by a factorage or

per centage on his sales or purchases. This per centage varies in different countries, and with different articles, and according to the amount of responsibility undertaken by the factor. The principal statute regulating the law of factorage, is the 6^o Geo. 4, c. 94.—*Vide* Beawes's *Lex Mercatoria*, Chitty's *Commercial Law*, Vol. III. c. 3; Woolrych on *Commercial Law*, p. 317, Bell's *Bankrupt Law*, &c. According to the custom and understanding of trade, a factor is a sort of general dealer, either in goods that are his own property, or in goods that are the property of others. A factor may sell by assignment, or on commission. In London, and other principal towns, there are many large establishments conducted by factors, and in which almost every description of goods and merchandize may be obtained, in either large or small quantities. In such establishments it is customary to make the same allowance to retail traders, as at manufactures, and by the wholesale houses.

FACTORY. A residence of factors and merchants, for the management of business. Instance, Turkey, Russia, China, Portugal, &c.

FACULTIES. The Court of Faculties, is a court under the jurisdiction of the Archbishop of Canterbury, for granting dispensations for doing what, by common law, would not be legal.

FAIRS. Fairs and markets are in character nearly identical; when distinguished, we understand the term *fair* to denote a larger kind of market, occurring at wider intervals. The necessity of holding fairs for the supply of any particular district with merchandize, lessens with the general diffusion of trades and arts among the population of the district, and the increased facilities of intercourse; but in thinly peopled districts, where artisans are few in number, and capital is scarce, and where facilities for commerce are comparatively circumscribed, fairs, or extensive periodical markets, are of great importance. Hence fairs and markets have been early and prominent objects of legislation in all civilized countries.

In England, a grant, or letters patent, from the crown,

is necessary to establish the privilege of holding a fair. Where power is given to hold a fair or market for a particular district at a certain place, the lieges cannot resort to any other. By 2 Edw. 3, c. 15, the duration of a fair must be declared at its commencement, and it must be closed immediately on the expiry of the allotted time, on pain of forfeiting double the value of any goods sold after the stipulated hour. A *bonâ fide* sale in open market invests the purchaser with the complete property of the article sold, howsoever it may have been come by; only the owner's property in a stolen horse is not altered by sale in a legal fair, unless it be openly ridden, or walked, or kept standing, for one hour at least, besides having been entered by the proper officer in the horse registry. For various statutory enactments relative to fairs, see Chitty on Commercial Law, Burn's Justice, &c.

Many of the principal continental fairs are held in Germany. Those at Leipsic, lasting about three weeks each, are held at the commencement of the year, at Easter, and at Michaelmas. Those at Easter and Michaelmas are celebrated as book-fairs, and are attended by all the leading booksellers of Germany, and many even from foreign countries. At Frankfort-on-the-Oder, there are three annual fairs, of about thirteen or fourteen days each; Reminiscere, in February or March; St. Margaret's, in July; and St. Martin's, in November. Two yearly fairs, of longer duration, occur at Frankfort-on-the-Maine: the first commences on Easter Tuesday, or from eight to fifteen days before; the second, on the Monday nearest to the 8th of September. However, they generally begin about a fortnight before the legally recognized period. At all these fairs, of which Leipsic are the most celebrated, business is done to an immense extent in printed cottons, stuffs, twists, cloths, hardware, silks, jewellery, furs, Cashmere shawls, Turkey carpets, &c. They may, in fact, be regarded as so many congresses, at which all the commercial nations of the world have their representatives.

Russia has numerous fairs, and many of them are extremely well attended. At the one held at Nishnei-

Novogorod, at the confluence of the Oka and Volga, and which generally lasts from six to eight weeks, business is sometimes done to the enormous extent of from 120 to 200 millions of roubles. At the fair of Kiachta in Mongolia, on the frontier of the Chinese territory, large quantities of tea of every description are sold.

The commerce of Hungary is carried on chiefly at its fairs, of which those of Pesth and Debretzen are the principal.

In the eastern world, the most important fair is that of Mecca. Hurduar, in India, one of the chief places of Hindoo pilgrimage, is also celebrated.

One of the best fairs in France, is that which is held at Beaucaire, in the department of the Gard, in July. There are fairs also at the following places, but their importance now is much less than it was formerly : Rheims, Lyons, Chartres, Rouen, St. Germains, Troyes, Bayonne, Bourdeaux, &c.

Of Italian fairs, that of Sinigaglia, on the Misa, beginning on the 14th of July, and closing about the end of that month, or early in August, is the chief. Cotton and woollen goods; raw, thrown, and wrought silks; iron, steel, and hardware; raw and refined sugar; lace and jewellery; oil, fruits, dried fish, cacao, coffee, spices, sumach, soda, alum, sulphur, cheese, &c., find ready purchasers here to a great extent.

Of all the fairs in England, lists are to be found in many of our almanacs, &c. The following are deserving of notice : Stourbridge, Worcestershire, Bristol, two; one in September, one in March. Exeter, in December, for horses, cattle, &c. St. Faith's, near Norwich, in October, for Scotch cattle; vast numbers of which are also disposed of at Carlisle, Ormskirk, Market Harborough, &c. Ipswich, two; one, very large, in August, for lambs; another in September for cheese and butter. Bury St. Edmund's, commencing in October and lasting about three weeks, all sorts of merchandise. Woodborough Hill, Dorsetshire, druggets, kerseys, &c. Nottingham and Northampton, several, for cattle, horses,

cheese, &c. Woodstock, in October, for cheese. Horn-castle, in August, and Rugeley in June, are the largest horse-fairs in the kingdom. Howden, Yorkshire, also a large horse-fair. Devizes, Wilts, several, for cattle and sheep. Gloucester, April, cheese. Market Harborough, nine days, cattle and cheese. Woodbridge, Lady-day, Suffolk cart-horses. St. Bartholomew's fair, London, September, is now little more than an assemblage of wild beasts, puppet-shows, &c.

In Scotland, Falkirk fair is one of the most important for sheep and cattle.

In Ireland, Ballinasloe is celebrated for its sheep and cattle fair.

FATHOM. A measure of six feet in length.

FEALTY. Duty done to a lord from a tenant, pursuant to oath taken on admittance.

FEATHERS. The feathers of the swan, goose, ostrich, heron, peacock, eider-duck, form extensive articles of commerce, and are, on importation, subject to various duties.

Fee. Estates *in fee* are either *fee-simple*, *i. e.*, absolute; or *fee-tail*, *i. e.*, fee-conditional: the tenant in *fee-simple*, holds lands to him and his *heirs generally* for ever; the tenant in *fee-tail*, holds to him and the *heirs of his body only*. Thus, an estate in *fee-tail* is a *limited fee*, as opposed to a *fee-simple*; an inheritance, limited at the will of the donor, to the holder and the heirs of his body. Or the inheritance may be in *heirs male only*, when it is called an estate in *tail male*, (as opposed to *tail general*;) or in *heirs female only*, when it is termed an estate in *tail female*. A tenant in *tail special* is where inheritance is restricted to the heirs of the bodies of a man and woman, *each* being specially named. A tenant in *fee simple absolute*, is one who has lands, tenements, or hereditaments, to hold to him and his heirs for ever. On the other hand, an estate in *fee qualified*, or *base*, is an estate to the holder of it and to his heirs, till some specified event may happen, or to be lost if such specific event occur. For instance, if an estate be granted to a woman during her

widowhood, or to a clergyman till he shall be promoted to a benefice.

FELO-DE-SE. One who deliberately puts an end to his own existence, or commits any unlawful malicious act, the consequence of which is his own death. All the goods and chattels of a self-murderer are forfeit to the crown. By act 4 Geo. 4, c. 52, § 1, persons who commit self-murder, not insane at the time, are to be buried in the parish churchyard, without rites of Christian burial, within twenty-four hours after the finding of the inquisition; the funeral to take place between the hours of nine and twelve at night.

FELONY. Generally, every sort of crime, short of treason, which occasioned, at common law, the forfeiture of goods and lands. Felonies immediately injurious to the royal prerogative, are:—1. Offences relating to the coin. 2. Offences against the privy council. 3. The offence of serving foreign states. 4. The embezzling or destroying the king's (or queen's) armour or warlike stores. 5. Desertion from the army or navy in time of war. 6. The seduction of soldiers or sailors, and the administering or taking unlawful oaths. The law protects the wife in all felonies committed by her in company with her husband, except murder or manslaughter, and high treason. By act 5 and 6 Will. 4, c. 33, § 3, in cases of felony, two justices (one being the committing magistrate,) may admit the offender to bail, even though he may have confessed the fact, or the justices shall think that the circumstances raise a strong presumption of guilt.

FEME COVERTE. A married woman; consequently protected against civil law proceedings.

FEME SOLE. An unmarried woman; liable, therefore, to actions of civil law.

FEOFFMENT. A gift, or conveyance, in perpetuity, from one person to another, of corporeal hereditaments, by the delivery of possession upon, or within view, of the hereditaments conveyed. The delivery was thus made, that the lord and the other tenants might be witnesses to it. No charter of feoffment was necessary; a charter

served only as an authentication of the transaction; and when it was used, the land was supposed to be transferred, not by the charter, but by the livery which it authenticated. He who so gives, or *feoffs*, is called the *feoffer*; and the receiver, or person *enfeoffed*, is termed the *feoffee*. Soon after the conquest, or perhaps earlier, all estates were called *fees*; and the correct import of the word *feoffment*, is, *the grant of a fee*. When the king made a feoffment, he issued his writ to the sheriff, or some other person, to deliver *seisin* of inheritance. Other great men followed the royal example, and this gave rise to powers of attorney. Then came the introduction of *uses*. At the common law, *uses* were, in most respects, what *trusts* are now. When a feoffment was made to uses, the legal estate was in the feoffee. He filled the possession, and the feudal duties, and was, in the eye of the law, the tenant of the fee. The person to whose use he was *seised*, called the *cestuy que use*, had the beneficial property of estate; had a right to the profits, and a right to call upon the feoffee to convey the possession to him, and to defend it against strangers.—See *Fee*.

FERRÆ NATURÆ. Foxes, hares, wild geese, and all other birds and beasts that are wild, and wherein no man can claim a property, unless under the provision of game-laws, &c.

FEUDE. A grant of land, honours, fees, &c., on condition of certain service and allegiance, and during the will of the grantor.

FIAT. A short order or warrant of a judge, for making out and allowing certain processes. In cases of bankruptcy, since the establishment of the Bankruptcy Court, the Lord Chancellor, or such person as he may appoint, issues a fiat instead of a commission, which fiat must be entered on record in the said court. To obtain a fiat, the petitioning creditor must make his affidavit before a master in chancery, of the truth of his debt, and give bond to the chancellor, in the penalty of £200, for proving the debt, the act of bankruptcy, and to proceed under the fiat. The cost (£10) of the fiat and proceedings, is

paid by the petitioning creditor, or creditors, until the choice of assignees, when the court directs the assignees to reimburse such expenses, out of the first money obtained under the fiat.—See *Bankrupt*.

FIEF. Lands or tenements, a manor, or noble inheritance, held by fealty and homage.

FIERI FACIAS. A writ of execution where judgment has been obtained for debt or damages, in the king's (or queen's) courts. By such writ the sheriff is warranted to levy the debt or damages on the goods and chattels of the defendant.

FIGS. The best figs are from Turkey, but they are imported also from various parts of Spain, Italy, &c. The enormous duty of 2ls. 6d. per cwt., has been reduced to 15s.

FIRE-ARMS. Guns, blunderbusses, fowling-pieces, muskets, pistols, &c. By act 55 Geo. 3, c. 59, a fine of £20 is imposed on any person using, in any of the stages of its manufacture, any gun-barrel not duly proved, or any person delivering such barrel, or barrels, unless through a proof-house; and on any person receiving, &c.

FIRE-WORKS. With exceptions in favour of the master, lieutenant, or commissioners for the royal ordnance, the 9^o and 10^o of Will. 3, declare fire-works a common nuisance; and the making, selling, &c., of fire-works, liable to a penalty of £5. For firing, throwing, &c., any fire-works into a house, shop, street, highway, or river, a penalty of 20s., or imprisonment with hard labour for any time not exceeding a month.

FIRKIN. A measure (frequently used for butter) equal to seven and a half imperial, or nine ale gallons.

FIRLOT. A Scotch dry measure, in some parts rather less than an imperial bushel, in others nearly a bushel and a half.

FISH. Salmon, cod, turbot, mackerel, herring, pilchard, lobster, oyster, are (with the exception of whale) the most important fish, in a commercial point of view, to this country. By act 3 and 4 Will. 4, c. 52, § 2, it is de-

clared, that “fresh fish, British taken, and imported in British ships; and fresh turbots and lobsters, however taken or imported, may be landed in the United Kingdom without report, entry, or warrant.” By § 44 of the same act, that “fresh fish of every kind, of British taking, and imported in British ships; and fresh lobsters and turbots, however taken, or in whatever ships imported; and cured fish of every kind, of British taking and curing, imported in British ships, shall be imported free of all duties, and shall not be deemed to be included in any charge of duty imposed by any act hereafter to be made, on the importation of goods generally; provided that before any cured fish shall be entered free of duty, as being of such taking and curing, the master of the ship importing the same, shall make and subscribe a declaration before the collector or comptroller, that such fish was actually caught, taken in British ships, and cured, wholly by his Majesty’s subjects.” By § 58 of the same act, it is declared, that “fish of foreign taking or curing, or in foreign vessels, except turbots and lobsters, stock-fish, live eels, anchovies, sturgeon, botargo, and caviare, be prohibited to be imported on pain of forfeiture.”

FLAG. By act 4 and 5 Will. 4, c. 13, § 11, it is enacted, that any of his Majesty’s subjects hoisting the union jack in their vessels, or any pendants, &c., usually worn in his Majesty’s ships, or any flag, jack, pendant, or colours whatsoever, in imitation of or resembling those of his Majesty, or any ensign or colours whatsoever, other than those prescribed by proclamation of the 1st of January, 1801, shall forfeit for every such offence, a sum not exceeding £500.

FLAW. An error or omission in an indictment or declaration, by which the proceedings are invalidated.

FLAX. The flax chiefly imported into this country, and on which the duty is now only 1*d.* per cwt., is from St. Petersburg and Narva, (both nearly of the same quality,) Pernau, Revel, Riga, Memel, and Oberland, and from Holland. The New Zealand flax, said to be superior

to all other in whiteness and strength of fibre, is under experimental cultivation at Rugeley, in Staffordshire.

FLOTSAM, &c. After a wreck, the goods which continue to float, are termed *flotsam*; those which are sunk beneath the surface, are *jetsam*; those which are sunk, but secured by a buoy, &c., to be found again, are *lagan*. —See *Dereelcts*.

FLOUR. The finely ground and sifted meal of wheat or any other corn. Of wheaten flour there are usually three qualities: firsts, seconds and thirds; the first of which is pure; and the second is produced by the mixture of the first and second operations. In the mills around the metropolis, however, no fewer than seven distinct sorts of flour are ground out of one quality of wheat: fine flour, seconds, fine middlings, coarse middlings, bran, twenty-penny, and pollard.

FLUX. Any substance possessing the property of promoting the fusion of metallic ores or earths by heat.

FOOT. A measure of 12 inches in length, and equal to 0.3048 French metres.

FORECLOSURE. A law term employed to express a barring of the equity of redemption upon mortgages. For instance, a mortgagee may, after expiration of the time for receiving back the principal and interest due from the mortgagor, either compel the sale of the estate, that he may recover the whole of his money immediately, or call upon the mortgagor promptly to redeem his estate, or in default thereof to be for ever foreclosed from redeeming it; in other words, to lose his equity of redemption without possibility of recal.

FORESTALLING. The offence of buying, or contracting for, the purchase of cattle, provisions, or general merchandise, on its way to the market, with a view of increasing the price of the commodity; also the spreading of any false rumour, for a similar purpose. Against this offence heavy penalties used to be levied; and, although the laws for levying such penalties were repealed in the year 1772, it is still punishable at common law by fine and imprisonment.

FREEHOLD. Lands or tenements held in fee-simple, fee-tail, or for term of life. An estate of freehold is the actual possession of the soil, land, tenements, or hereditaments, created by livery of seisin in common law; and then the holder is said to be *seised in his demesne, as of fee.* (See *Fee* and *Feoffment.*) A freehold not of inheritance is, firstly, conventional, or created by the act of parties; or, secondly, legal, or created by operation of law. In case of grant or donation, the word "heirs" is necessary, in order to constitute a fee or inheritance; for if land be given to a man for ever, or to him and his assigns for ever, this vests in him only an estate for life. This restriction, however, does not extend to devises by will, in which a more liberal construction is allowed; yet, if the devise be to a man and his assigns, without annexing words of perpetuity, the devisee shall take only an estate for life.

FREIGHT. The hire of a ship, or part of a ship, for the conveyance of goods from one port to another. Its amount is usually fixed in the charter-party, or in the bill of lading; and it is contracted to be paid either by the whole voyage or by the time employed in it. Where there is no special contract, freight is not payable before all the goods are ready for delivery; but the master is not bound actually to give delivery of them before payment of the freight and other charges due upon them. But, as the merchant is entitled to ascertain the condition of the goods before paying their freightage, the master must afford him an opportunity of doing so; which he generally does by sending them to a public wharf, and ordering the wharfinger not to part with them till the charges are paid upon them. Where the freight is contracted to be paid by the time spent in the voyage, the risk of the duration falls upon the merchant. If the contract be for one entire voyage out and in, and the ship be cast away on the homeward voyage, no freight is due; but if there be two voyages, that is, if the outward and homeward voyages be distinct, and the ship is lost on the homeward voyage, freight is due for the former.

FRIEND, NEXT. The nearest relation, or legal guardian, of a minor.

FRUITS, FIRST. First fruits constitute a revenue to the crown from church livings above the clear annual value of £50. Formerly, "Tenths" were also a payment to the crown of the tenth part of the annual value of every living thing. In the reign of Queen Anne, the revenues of first-fruits and tenths were consolidated in a perpetual fund, usually termed "Queen Anne's Bounty," for the augmentation of poor livings; office, Dean's Yard, Westminster.

FUNDS. The funds, or public debt, of Great Britain consist of an immense sum, which, from time to time, has been lent to the government of the country by individuals, and for which they or their assigns receive interest out of the taxes. For a comprehensive view of this subject, the reader may refer to Dr. Hamilton's work on the National Debt, to Field's Epitome of the Stocks and Public Funds, to the pages of Fairman, M'Culloch, &c.: all that can be here attempted is a very slight sketch.

The funding system arose soon after the revolution of 1688; the first permanent loan to government was that of £1,200,000, by some London merchants, in 1693. The design of this system was to lighten the burden of a heavy national expenditure on the existing generation, by extending it over a succession of generations. When a country can bear it, it is better to raise the supplies at once; but it may often be expedient, and perhaps not unjust, to leave posterity to bear part of the burdens originally imposed for their benefit as well as for that of their forefathers.

At the accession of George II., in 1727, the national debt amounted to £52,000,000; the interest of which was £2,217,000. At the conclusion of the peace of Paris, in 1763, this debt had reached the sum of £140,000,000. At the commencement of the French war, in 1793, it amounted to £239,350,148; in 1816, it had reached its maximum—the unredeemed funded and unfunded debt

then standing at £865,000,000; and its present total is about £796,000,000.

Several expedients have been devised for preventing an indefinite increase of the national debt. The first plan was that adopted under Sir Robert Walpole, in 1716, upon the suggestion of the Earl of Stanhope. "The taxes, (says Dr. Hamilton) which had before been laid on for limited periods, being rendered perpetual, and distributed among the South Sea, Aggregate, and General funds, and the produce of these funds being greater than the charges upon them, the surpluses were united under the name of the Sinking Fund, being appropriated for the discharge of the national debt, and expressly ordained to be applicable for no other purpose whatever." Little was effected by this fund; the principle of its inviolable application was soon abandoned, and the hopes entertained of its efficacy entirely disappointed. In 1786, Mr. Pitt's sinking fund was established. To constitute it, £1,000,000 per annum was appropriated by parliament. In 1792, £200,000 per annum was added to this fund, and another was established of one per cent. on all future loans. Lord Henry Petty, now Marquis of Lansdowne, in 1807, carried the funding system a step farther, by proposing to borrow both principal and interest, and affording present relief to the nation by lessening the taxes to a sum necessary to pay the interest of the interest only. In 1813, Mr. Vansittart (now Lord Bexley) introduced some equally futile expedients into the department of the national financial matters. Dr. Hamilton was the first to set in a clear light the simple proposition, that no fund can prove really efficient for the reducing of a debt but such as arises from an excess of income above expenditure. It is absurd to talk of a sinking fund where no surplus revenue exists.

Here follows a brief description of the different sorts of stock:

I. First, of those bearing interest at 3 per cent. 1. The South Sea debt, and old and new South Sea annuities, are the remains of the capital stock of the celebrated

South Sea company. 2. The debt due to the bank of England is a sum lent by the bank to government at 3 per cent. interest. It must not be confounded with the fixed capital of the bank, which has borne an interest at 3 per cent. since 1823. 3. The Bank annuities of 1726 arise from an irredeemable capital of small amount. The price of this stock is generally one per cent. less than the 3 per cent. consols. 4. The consolidated annuities, or Three per cent. consols, were formed in 1751, when a variety of different kinds of stock, each bearing 3 per cent. interest, were consolidated into one general stock under this denomination, by 25 Geo. II. This has always been the favourite public stock, and the largest financial operations of government have been conducted in it. Its average price in the market, from 1793 to the peace of Amiens, was 61 $\frac{1}{2}$ per cent.; from 1803 to 1814, 62 $\frac{1}{2}$ per cent. The dividends on this stock are payable on the 5th of January, and 5th of July. 5. The Three per cent. reduced annuities were established in 1757, by the union of several stocks which had previously borne a higher rate of interest. Few of the original holders consented to this arrangement, but by the addition of new loans, this species of stock has reached its present amount.

II. Of the funds bearing more than 3 per cent. there are : 1. The 3 $\frac{1}{2}$ per cent. annuities, created in 1818, and redeemable at par. 2. The reduced 3 $\frac{1}{2}$ per cent. annuities, created in 1824, by the transfer of old 4 per cent. stock, and redeemable at pleasure. 3. The new 3 $\frac{1}{2}$ per cent. annuities were formed by the act 11 Geo. 4. c. 13, out of the 'New 4 per cent. stock,' the holders of which were offered the choice of subscribing into the new 3 $\frac{1}{2}$ per cent. annuities, or into a new 5 per cent. stock, at the rate of £100 4 per cents. for every £70, 5 per cents. 4. The 4 per cent. annuities were created in 1826, by funding £3,000,000 of Exchequer bills at the rate of £107, 4 per cent. annuities for every £100 bills.

III. Of the annuities there are : 1. The Long annuities, which all expire in 1860. 2. The annuities per 4 Geo. 4. c. 22, or 'Dead weight' annuities. 3. Annuities

per 48 Geo. 3, and 10 Geo. 4, c. 24, are granted on the approval of the commissioners for the reduction of the national debt, upon the conditions stipulated in these acts. Tables of rates, &c. may be had, free of charge, at the National Debt Office, Old Jewry, London. The annuity acts were all repealed by the last mentioned act of Geo. 4, which corrected various errors in the former scales, and extended the system of annuities to annuities for certain limited terms of years, as well as to life-annuities.

The "DEAD WEIGHT" mentioned above, originated thus:—At the close of the war, the naval and military pensions and retired allowances amounted to £5,000,000 per annum, diminishing, of course, with every year, but in an uncertain rate. Government, desirous to relieve their present necessities by spreading the burden more equally over the 45 years, which were calculated as the probable duration of the lives, proposed, in 1822, to any capitalists, who might be willing to engage with them, an annuity of £2,800,000 for 45 years, on condition of provision being made for the pensions on the basis of a graduated scale of payments, commencing in the first year at £4,900,000, and ending at £300,000. The offer was not accepted; but in 1823, the bank agreed, on condition of receiving an annuity of £585,740 for 44 years, ending 10th October, 1867, to provide, before 1828, the sum of £13,089,419. This was accordingly done; and the bank is to this day in receipt of the annuity, which was valued in June, 1832, at £10,935,227, and is considered equivalent to a perpetual annuity of £470,319 10s. *Epitome of the Stocks and Public Funds.*

With reference to "life annuities," the following particulars, extracted from the act 10 Geo. 4. cap. 24, will be found important as forms to be observed in their purchase or receipt:—

"Section 2. No nominee can be under 15 years of age; and the commissioners have the power to refuse any nominee.

"3. Not less than £100 stock to be received by the commissioners; nor any sum of money on long annuities

of less value than £100 Three per cents. according to the average price.

"4. Proprietors may appoint nominees, being natives of or most usually residents in the United Kingdom, on the continuance of whose life the annuity shall depend.

"6. If the date of birth be not mentioned in the certificate, the age is to be calculated from the day of baptism.

"7. Should the party desiring to purchase a life annuity not be a native of the United Kingdom, or if the birth or baptism of a party does not appear in the parish register, then a declaration of the age, name, occupation, and place of abode, together with the place of birth and the names of the parents, or reputed parents, of the nominee, must be procured.

"10. Contracts not fulfilled by the purchaser within five days from the date of contract, are to be void.

"18, 19. Purchases may be made on the life of old nominees, without fresh certificates of age, &c.

"22. All annuities to be payable by two equal half-yearly payments, to be made on the 5th of January and the 5th of July, or on the 5th of April and the 10th of October : the first half-yearly payment to be made in the quarter next succeeding that in which the purchase was made ; and in case of the death of a nominee, a fourth part of the annuity shall be paid to the party entitled on the next half-yearly day of payment, provided such portion be claimed within two years.

"23. No contract for an annuity can be entered into within 14 days after the quarterly day of payment.

"24, 25. At the time of applying for payment of life annuities, a certificate of the life of the nominee must be produced : if the annuity be for joint lives, dependent on the longest life, a certificate of the life of either shall be sufficient. If the nominee apply personally, no certificate of existence is necessary.

"30. Persons already holding annuities may transfer any sum of 3 per cent. stock, not less than £20, or any stock or money equivalent thereto, in consideration of any further annuity."

The unfunded or floating debt of this country mostly exists in the form of "Exchequer bills" issued by authority of parliament for various sums from £100 to £1000, and bearing interest at the usual rate. They are periodically discharged or renewed, notice being given of the time for this, in the public prints; but before they fall due they may be paid to government at par in discharge of duties and taxes. The interest upon these securities has varied, at different times, from $1\frac{1}{2}$ d. per diem, per £100, or $2\frac{1}{2}$ per cent., to $3\frac{1}{2}$ d. per diem.

"EAST INDIA BONDS," issued by the India Company, as their security for a debt due to the public, are for £100, £200, £300, £500, and £1000 each. Up to the 30th of June, 1838, the amount of these bonds in circulation, was estimated at £3,700,000. The interest was 4 per cent. At the period mentioned, however, new bonds were issued, in exchange for £1,760,000 of the old bonds, the remainder of which were paid off and cancelled. The new bonds bear interest at 3 per cent., and are not to be reduced, nor is the principal to be discharged or demanded, except after twelve months' notice. The interest, to be reckoned up to the day on which they are bought or sold, is payable on the 31st of March and the 30th of September. India bonds, being payable to the company at par, when there is six months' interest due on them, form an eligible investment for cash that may be called for at any uncertain time, as there is a market for them every day in the year.

For "*Transactions in the Funds*," the subjoined information from Dr. Hamilton's *Inquiry into the National Debt*, will be found useful.

"A bargain for the sale of stock, being agreed on, is carried into execution at the Transfer office, at the Bank, or the South Sea House. For this purpose the seller makes out a note in writing, which contains the name and designation of the seller and purchaser, and the sum and description of the stock to be transferred. He delivers this to the proper clerk; and then fills up a receipt, a printed form of which, with blanks, is obtained at the

office. The clerk in the mean time examines the seller's accounts, and if he find him possessed of the stock proposed to be sold he makes out the transfer. This is signed in the books by the seller, who delivers the receipt to the clerk ; and upon the purchaser's signing his acceptance in the book, the clerk signs the receipt as witness. It is then delivered to the purchaser upon payment of the money, and thus the business is completed.

"This business is generally transacted by brokers, who derive their authority from their employers by powers of attorney. Forms of these are obtained at the respective offices. Some authorize the broker to sell, others to accept a purchase, and others to receive the dividends. Some comprehend all these objects, and the two last are generally united. Powers of attorney authorizing to sell must be deposited in the proper office for examination one day before selling : a stockholder acting personally, after granting a letter of attorney, revokes it by implication.

"The person in whose name the stock is invested when the books are shut, previous to the payment of the dividends, receives the dividend for the half-year preceding ; and, therefore, a purchaser during the currency of the half-year has the benefit of the interest on stock he buys, from the last term of payment to the day of transfer. The price of stock, therefore, rises gradually, *cæteris paribus*, from term to term ; and when the dividend is paid, it undergoes a fall equal thereto. Thus the 3 per cent. consols should be higher than the 3 per cent. reduced by $\frac{1}{4}$ per cent. from the 5th of April to the 5th of July, and from the 10th of October to the 5th of January ; and should be as much lower from the 5th of January to the 5th of March, and from the 5th of July to the 10th of October ; and this is nearly the case. Accidental circumstances may occasion a slight deviation.

"The dividends on the different stocks being payable at different terms, it is in the power of the stockholders to invest their property in such a manner as to draw their income quarterly.

"The business of speculating in the stocks is founded

on the variation of the price of stock, which it probably tends in some measure to support. It consists in buying or selling stock according to the views entertained, by those who engage in this business, of the probability of the value rising or falling.

" This business is partly conducted by persons who have property in the funds. But a practice also prevails among those who have no such property, of contracting for the sale of stock on a future day, at a price agreed on. For example, A. may agree to sell B. £10,000 of 3 per cent. stock, to be transferred in 20 days, for £6,000. A. has in fact, no such stock: but if the price on the day appointed for the transfer be only 58, he may purchase as much as will enable him to fulfil his bargain for £5,800, and thus gain £200 by the transaction: on the other hand, if the price of that stock should rise to 62, he will lose £200. The business is generally settled without any actual purchase of stock, or transfer; A. paying to B. or receiving from him the difference between the price of stock on the day of settlement, and the price agreed on.

" This practice, which amounts to nothing else than a wager concerning the price of stock, is not sanctioned by law; yet it is carried on to a great extent: and as neither party can be compelled by law to implement these bargains, their sense of honour, and the disgrace attending a breach of contract, are the principles by which the business is supported. In the language of the Stock Exchange, the buyer is called a *Bull*, and the seller a *Bear*, and the person who refuses to pay his loss is called a *Lame Duck*; and the names of these defaulters are exhibited in the Stock Exchange, where they dare not appear afterwards.

" These bargains are usually made for certain days fixed by a committee of the Stock Exchange, called *settling days*, of which there are about eight in the year; viz. one in each of the months of January, February, April, May, July, August, October, and November; and they are always on Tuesday, Wednesday, Thursday, or Friday, being the days on which the commissioners for the reduction of the

national debt make purchases. The settling days in January and July are always the first days of the opening of the bank books for public transfer ; and these days are notified at the Bank when the consols are shut to prepare for the dividend. The price at which stock is sold to be transferred on the next settling day, is called the price *on account*. Sometimes, instead of closing the account on the settling day, the stock is carried on to a future day, on such terms as the parties agree on. This is called a *continuation*.

" All the business, however, which is done in the stocks *for time*, is not of a gambling nature. In a place of so extensive commerce as London, opulent merchants, who possess property in the funds, and are unwilling to part with it, have frequently occasion to raise money for a short time. Their resource is in this case to sell for money, and buy for account ; and although the money raised in this manner costs more than the legal interest, it affords an important accommodation, and it may be rendered strictly legal and recoverable."

" Letters of attorney," observes Mr. Field, " either to sell stock or receive dividends, must be taken out at the office appointed for issuing them, and such letters (the expense of which is £1. 1s. 6d.) when executed, must be deposited in the office of that fund or stock to which the said letter of attorney has reference, before two o'clock on the day before that on which any sale or transfer is intended to take place. In cases of urgency, by application to the Accountant General, permission may be obtained to act on a letter of attorney, on the same day on which it is presented at the Bank." If the letter be wanted the same day, orders must be left at the office by half-past twelve o'clock.

By an inspection of the subjoined *Comparative or Equation Table*, from *M'Culloch's Dictionary of Commerce*, the reader will be enabled to ascertain the prices which the different funds, Foreign as well as British, must be at to produce an equal interest; and also the annual interest produced by the sum of £100 sterling, invested at any of those prices.

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Three per Ct. Price.	Three & a half per Cent. Price.	Four per Ct. Pr.	Five per Ct. Pr.	Interest.
s. d.	s. d.	s. d.	s. d.	s. d.
50	58 6 8	66 13 4	83 6 8	6 0 0
51	59 10 0	68 0 0	85 0 0	5 17 7
52	60 13 4	69 6 8	86 13 4	5 15 4
53	61 16 8	70 13 4	88 6 8	5 13 2
54	63 0 0	72 0 0	90 0 0	5 11 1
55	64 3 4	73 6 8	91 13 4	5 9 0
56	65 6 8	74 13 4	93 6 8	5 7 1
57	66 10 0	76 0 0	95 0 0	5 5 3
58	67 13 4	77 6 8	96 13 4	5 3 5
59	68 16 8	78 13 4	98 6 8	5 1 8
60	70 0 0	80 0 0	100 0 0	5 0 0
61	71 3 4	81 6 8	101 13 4	4 18 4
62	72 6 8	82 13 4	103 6 8	4 16 9
63	73 10 0	84 0 0	105 0 0	4 15 2
64	74 13 4	85 6 8	106 13 4	4 13 8
65	75 16 8	86 13 4	108 6 8	4 12 3
66	77 0 0	88 0 0	110 0 0	4 10 10
67	78 3 4	89 6 8	111 13 4	4 9 6
68	79 6 8	90 13 4	113 6 8	4 8 2
69	80 10 0	92 0 0	115 0 0	4 6 11
70	81 13 4	93 6 8	116 13 4	4 5 8
71	82 16 8	94 13 4	118 6 8	4 4 6
72	84 0 0	96 0 0	120 0 0	4 3 3
73	85 3 4	97 6 8	121 13 4	4 2 2
74	86 6 8	98 13 4	123 6 8	4 1 0
75	87 10 0	100 0 0	125 0 0	4 0 0
76	88 13 4	101 6 8	126 13 4	3 18 11
77	89 16 8	102 13 4	128 6 8	3 17 11
78	91 0 0	104 0 0	130 0 0	3 16 11
79	92 3 4	105 6 8	131 13 4	3 15 11
80	93 6 8	106 13 4	133 6 8	3 15 0
81	94 10 0	108 0 0	135 0 0	3 14 0
82	95 13 4	109 6 8	136 13 4	3 13 2
83	96 16 8	110 13 4	138 6 8	3 12 3
84	98 0 0	112 0 0	140 0 0	3 11 5
85	99 3 4	113 6 8	141 13 4	3 10 7
86	100 6 8	114 13 4	143 6 8	3 9 9
87	101 10 0	116 0 0	145 0 0	3 8 11
88	102 13 4	117 6 8	146 13 4	3 8 2
89	103 16 8	118 13 4	148 6 8	3 7 4
90	105 0 0	120 0 0	150 0 0	3 6 8
91	106 3 4	121 6 8	151 13 4	3 5 11
92	107 6 8	122 13 4	153 6 8	3 5 2
93	108 10 0	124 0 0	155 0 0	3 4 6

GALLON. According to act 5 Geo. 4, c. 74, the imperial gallon, containing four quarts, is the standard measure of capacity. It must contain 10 lbs. avoirdupois weight of distilled water, weighed in air of the temperature of 62° of Fahrenheit's thermometer, the barometer being at 30 inches, or 277.274 cubic inches. The imperial gallon is about $\frac{1}{2}$ larger than the old wine gallon, and $\frac{1}{70}$ less than the old ale gallon.

GALLS. Galls, or gall-nuts, extensively employed in various processes of dyeing, and in the manufacture of black ink, are excrescences formed upon the leaves, &c. of the *quercus infectoria*, a species of oak that grows in the Levant. The excrescence results from the puncture of the female of the gall-wasp, made by her to deposit her eggs. The sap of the leaf, or leaf-stalk, exudes around the puncture, and dries in concentric portions. The insect, when fully formed, eats through the nut and flies away. Galls from Dalmatia, Illyria, Calabria, &c., found upon the *quercus cerris*, and upon the common oak, are smaller, of a brownish hue, and inferior in value to the Aleppo galls.

GARNISHEE. The third person or party in whose hands money is attached within the limits of the city of London, in the Sheriff's or Lord Mayor's Court there. He is so called because he has had garnishment or warning not to pay the money, but to appear and answer to the plaintiff-creditor's suit. By the custom of the city of London, Exeter, and several other places, a man may attach money or goods in the hands of a stranger to satisfy himself. A foreign attachment cannot be had when a suit is depending in any of the courts of Westminster, which make the matter not to be meddled with by any other court. Nothing is attachable but for certain and due debt; though, by the custom of London, money may be attached before due, as a debt; but it cannot be *levied* before due. By the custom of London, if a plaint be entered in the court of the mayor or of the sheriff against A., and the process be returned *nihil*, and thereupon the plaintiff suggests, that another person within London is

indebted to A., the debtor shall be warned; and if he do not deny himself to be indebted to A., the debt shall be attached in his hands. The plaint may be exhibited in the mayor's court or sheriff's court; but the proceeding in the former is more expeditious, less expensive, and of greater advantage. The plaintiff finds pledges to prosecute his plaint; and process issues by a summons, directed to the serjeant-at-mace, to summon defendant, who makes return, *quod defendens nihil habet per quod sum potest*. Then, upon a suggestion entered, that A. is indebted to the defendant, a precept goes to the serjeant to attach the money in the hands of A. And if the defendant afterwards make four several defaults, at four several days to him given, a *scire-fucias* issues against the garnishee; and if he acknowledge the debt due from him to the defendant, and the plaintiff swear his debt from the defendant, and find pledges to return the money attached, if the defendant disprove the original debt within a year and a day, the plaintiff shall have judgment and execution for the money in the hands of A., and shall acknowledge satisfaction for it upon record. In the mayor's court, the charge of an attachment in his own hands, is only 10s.; in the hands of another, 15s. If there be no opposition, the case may be finished in five days. If there be an opposition, and a trial thereupon, it may be for 30s. And an attachment there continues in force, and the plaintiff may proceed there when he will. But an attachment in the sheriff's court, is a third part more chargeable, and cannot be determined under three weeks, though there be no opposition, nor continue in force above sixteen weeks. And it may be removed by a *leveater querela*, signed by the mayor or recorder, into the mayor's court, for 5s. 10d. If the garnishee do not appear upon the *scire-fucias*, there shall be judgment against him on default.

GAS. Gas is the generic name for all such elastic fluids as are permanent under a considerable pressure, and at the temperature of zero of Fahrenheit. Here we refer only to that description of gas which is employed for the purpose of illumination. Pit-coal, oil, and other sub-

stances, have been used in the production of this gas, but nothing has been found to succeed so well as coal. Gas is generated by the placing of coal in iron retorts, and subjecting them to a red heat : from the retorts, the gas is received in a gasometer, whence it is distributed in different directions by pipes, and finally burnt, in a bright flame, at small apertures, which may be opened or closed at pleasure. The discovery of the principle appears to have originated with Dr. Clayton, about the year 1737. He found that coal, subjected to a red heat, as described, afforded a large quantity of air similar to what is termed the "fire damp" of mines, but burning with a brighter flame. It appears, however, that Mr. William Murdoch, of Redruth, in Cornwall, (engineer to Messrs. Bolton and Watt, of Soho,) was the first person who, about the year 1792, employed coal gas for the lighting of houses and offices. At the peace of Amiens, in the spring of 1802, Mr. Murdoch illuminated part of the Soho manufactory with a public display of brilliant gas-lights. About the same time Mr. Winsor lighted part of Pall Mall, in London, with gas ; and a joint-stock company was formed with the view of carrying the invention into general effect in the metropolis. However, the speculation failed, and it was not till the year 1822, by which time four large gas companies had been formed, that gas illumination became completely successful. Since that period, it has become general, not only throughout England, but all over the European continent, and parts of America. It may easily be imagined, that the construction of gas-works upon a large scale, requires a great outlay of capital, consequently, the lighting of different towns is generally supplied by joint-stock companies, many of which have proved very profitable undertakings. Some idea of the superior economy of gas over every other description of illumination, may be formed from the following statement by Dr. Ure :—

"One pound of tallow will last 40 hours in six mould candles burned in succession, and costs 8d. ; a gallon of oil, capable of affording the light of 15 candles, for 40

hours, costs 5s., (occasionally, 8s. or 10s.,) being therefore half of the price of mould candles, and $\frac{1}{8}$ of the price of dips. The cost of wax is about three and a half times that of tallow; and coal gas, as sold at the rate of 9s. for 1000 cubic feet, will be one sixth the price of mould candles; for 500 cubic inches of coal gas, gives a light equal to the above candle for an hour; therefore $40 \times 500 = 20,000$ cubic inches = 11.57 cubic feet, worth $1\frac{1}{4}d.$, which multiplied, gives $7\frac{1}{2}d.$, the average price of mould candles per pound." On the subject of gas, much curious scientific information, and many valuable statistic details, may be seen in Dr. URE's *Dictionary of Arts, Manufactures, &c.*

GAS-HOLDER. A vessel for holding and preserving gas.

GAS-MODERATOR. Under this name, Mr. Siebe, engineer, of Denmark Street, Soho, has invented an economical apparatus, which, by its own self-action, prevents gas lights from rising too high, or sinking too low, in the glass.

GASOMETER. A measurer, or a recipient, of gas. In houses or manufactories, where the consumption of gas is irregular or uncertain, a gasometer is desirable for the purpose of ascertaining the quantity consumed, that the expense may be proportionably assigned.

GAUGER. An officer of the revenue, attached to the customs and excise, whose duty it is to examine and ascertain the contents of vessels of capacity, of wine, spirits, oil, honey, beer, ale, &c., upon the importation and exportation thereof, and mark them accordingly.

GAVELKIND. A custom or tenure belonging and annexed to certain lands in Kent; agreeably to which, the lands of the father are, contrary to the laws of primogeniture, equally divided at his death amongst all his sons; or the lands of a brother amongst all his brethren, if he have no issue of his own.

GENEVA.—Geneva or Hollands, is a Dutch spirit, obtained by distillation from grain. It derives its appellation from *genièvre*, the French of the juniper berry, which is used in its preparation. Like brandy, it is subject to the enormous importation duty of 22s. 6d. per gallon.

GIFTS, GRANTS, &c. Deeds of gift, and of grant, are instruments by which lands, tenements, or goods, are conveyed from one person to another. A gift is of greater extent than a grant, applying to things both moveable and immoveable. This deed is good without a consideration; but great care must be taken that there be no fraud in making it. A *bonâ fide* gift is accompanied by delivery of possession, and is immediate in effect. Gifts are gratuitous; grants are conditional. In every grant there must be a grantor, a grantee, and something granted which is grantable. A grant is the correct mode, by common law, of conveying incorporeal hereditaments, which cannot pass by word of mouth only; as rents, services, advowsons in gross, reversions, &c.

GILL. A liquid measure of a quarter of a pint.

GIN. Gin, or English geneva, is a rectified distillation from malt, oats, or barley, with juniper berries; and (before it reaches the poor, in its low-priced form,) mixed up with turpentine, sugar, and a variety of pernicious ingredients.

GINGER. The root of a plant originally from India and China, but now grown also in the West Indies. The white ginger is of the finest quality.

GLASS. The manufacture of glass is subjected to heavy excise duties. By act 5 and 6 Will. 4, c. 77, the duty on flint glass was abolished, and in lieu thereof, a duty of 6s. 8d. is charged on every 100 lbs. weight of the fluxed material from which such glass is made. On every 100 lbs. weight of flint glass exported, a drawback of 18s. 9d. is allowed.

GLEBE. Glebe-land is the land, meadow, or pasture, which belongs to a parsonage, exclusively of the tithes.

GOODS. To receive stolen goods, knowing them to have been stolen, is punishable by fourteen years' transportation.

GRACE, DAYS OF. See page 35.

GRANT. See *GIFTS, &c.*

GUARANTEE. A party stipulating to see the engagements of another duly performed.

GUILD. A company or fraternity. It is from the

Saxon *guildan*, to pay; because every member was to pay something towards the support of the fraternity.

GUILDHALL. In London, the great court of judicature for the city. In it are held the Lord Mayor's Court, the Sheriff's Court, Court of Hustings, Court of Common Council, Chamberlain's Court, Court of Aldermen, Court of Conscience, &c. Here also, after every term, the judges hold their *nisi prius* sittings for the Courts of King's Bench, Common Pleas, &c.

GUNPOWDER. According to act 12 Geo. 3, c. 61, no dealer may keep more than 200 lbs. of gunpowder, nor any person not a dealer, more than 50 lbs., in the city of London or of Westminster, or within three miles thereof, or within any other city, town, &c., or one mile thereof, or within two miles of the royal palaces or magazines, or half a mile of any parish church, on penalty of forfeiture, and 2s. per lb.; excepting in licensed mills, or to the extent of 300 lbs. for the use of collieries, within 200 yards of them. More than 25 barrels of 100 lbs. each, may not be conveyed by any land-carriage, nor more than 200 barrels by water, unless by sea or coastwise. All vessels, excepting those of the royal navy, on entering the Thames, are to put on shore, at or below Blackwall, all the powder they may have on board exceeding 25 lbs. Outward bound vessels may not receive on board more than 25 lbs. before their arrival at Blackwall. The Trinity House appoints searchers, who are authorized to search ships for gunpowder; all found above 25 lbs., and the barrels containing it, and 2s. per lb. for all above that quantity, are forfeited. Penalty of £10 for obstructing officers in search. The importation of gunpowder is prohibited on pain of forfeiture, except by royal licence; such licence to be granted for furnishing the crown stores only. See act 6 Geo. 4, c. 107. Its exportation may be prohibited by order of council.

HABEAS CORPUS. "You may have the body." This is an Englishman's great writ of right. It lies when a person, having been indicted and imprisoned, has offered sufficient bail, which has been refused, although the

alleged offence may be bailable. In this case, he may have a writ of *habeas corpus* out of the Court of King's Bench, to remove himself thither, and to answer the cause at the bar of that court. It is only under circumstances of extreme emergency, and for a short and limited time, that the *habeas corpus* act can be suspended by Parliament. During such suspension, suspected persons may be imprisoned without any assigned cause.

HALLAGE. A toll due to the lord of a market, or fair, for such goods as are sold in the common hall of the place. In London, a fee due for cloths brought for sale to Black-well Hall, London Wall.

HAMS. The hams of Westphalia, Portugal, Virginia, &c., are held in deservedly high estimation; but they are subject to the heavy import duty of 28s. per cwt., or 3d. per lb. In England, the counties of Hants, York, Wilts, and Cumberland, and in Scotland those of Galloway and Dumfries, are most celebrated for their hams; Irish hams are inferior in quality.

HANAPER. The Hanaper Office is in the Court of Chancery. In ancient times, writs relating to the business of the subject, and their returns, were deposited therein, and kept in *hanaperio*, "in a hamper." Writs relating to the crown were kept in *parva baga*, "in a little bag," and hence originated the designations of *Hanaper* and *Petty Bag* Office.

HARBOUR. A harbour, haven, or port, is a piece of water which communicates with the sea, or with a navigable river or lake. Its further requisites are that, with good anchorage, and protection against the winds, it should have depth sufficient for the floating of ships of considerable burthen, and all proper accommodation for their lying, loading, and unloading. Formerly, the anchorage, &c., of ships in harbours, was regulated by various statutes; most of which, however, were repealed or modified by the 54th of Geo. 3, c. 149. Every ship-master ought to possess himself of that act.

HAWKERS. Between hawkers and pedlars, both of whom are retail traders, carrying their goods about from

place to place, it is difficult to distinguish, excepting that the former are understood to conduct their business upon a more extensive scale than the latter. By act 50 Geo. 3, c. 41, hawkers and pedlars must take out a license annually, at the cost of £4. If they travel with a horse, ass, or other beast of burthen, an additional £4 for each beast so employed. Unless householders or residents in the place, they may not sell by auction, under a penalty of £50; half to the informer, half to the crown. But they may sell, or expose to sale, any sort of goods, in any public market or fair, or in a hired room, though not residents, provided the sale be not by auction. Every hawker must have inscribed, in Roman capitals, on every box, pack, case, trunk, cart, &c., in which he shall convey his goods, and on every shop or room in which he may trade, and on every hand-bill that he may distribute, the words "LICENSED HAWKER." A penalty of £10 is incurred by default; and an equal penalty by unlicensed persons wrongfully assuming the designation. Hawkers dealing in smuggled goods, or in goods unjustly obtained, are punishable by forfeiture of license and various other penalties. According to the 6th Geo. 4, c. 80, any person hawking, selling, &c., spirits on the streets, highways, &c., or on the water, is subject to a penalty of £100 for each offence. Hawkers are subject to a penalty of £10 for trading without a license, or for refusing to show their license on demand. By the 5th of Geo. 4, hawkers trading without license, are also punishable as vagrants. For forging or counterfeiting a hawker's license, penalty £300. To lend or hire a license, subjects lender and borrower to a fine of £40 each, and forfeiture of license. But the servant of a hawker may travel with his master's license. By these acts, persons are not prohibited from selling fish, fruit, or victuals; nor is any home manufacturer prohibited from exposing his wares to sale in any market or fair, in every city, borough, town corporate, and market town. Tinkers, coopers, glaziers, plumbers, harness-menders, &c., are free to go about and carry the materials necessary to their occupation. In a market

town, hawkers exposing their goods for sale, must do so in the market place. Under the 50th of Geo. 3, persons hawking tea without a license, are liable to a penalty; nor even with a license, may they sell tea in an unentered place. Persons committed under the hawkers and pedlars' acts, for non-payment of penalties, cannot be detained in custody for a longer period than three months. Persons duly licensed to trade as hawkers and pedlars, may set up any lawful trade in any place where they may be resident, though they may not have served any apprenticeship to the same; and, if prosecuted, they may plead the general issue, and recover double costs.

HAY. In London there are three public markets for the sale of hay and straw: in Whitechapel, Smithfield, and the vicinity of the Regent's Park. Within the bills of mortality, and 30 miles of the cities of London and Westminster, the sale of hay is regulated by the 36th of Geo. 3, c. 88. All hay must be sold by the load of 36 trusses; each truss to weigh 56 lbs; with the exception of new hay, which, till the 4th of September, must weigh 60 lbs. per truss. Straw is sold by the load of 36 trusses, each truss to weigh 36 lbs. Salesmen and factors may not deal on their own account. It is imperative on the clerk of the market, to keep a regular book, with the particulars of all sales, for the inspection of the public.

HEADBOROUGH. A subordinate constable: in ancient times, a chief, or frank-pledge.

HEIR. There are in law many descriptions of heirs. Generally, an *heir* is the oldest son born in wedlock: he succeeds to lands, tenements, and hereditaments, which are deemed estate of inheritance: the estate must be in fee, as a man cannot be heir to goods and chattels. An *heiress* is the female heir of a man having an estate of inheritance in lands: where there are several joint heirs, they are called *co-heirs*, or *co-heiresses*. *Heirs-portioners*, or *parceners*, is a term also used when women succeed, in which case, all have equal portions. An *heir-apparent*, is one whose right of inheritance is certain, and which nothing can defeat, provided he outlive his ancestor, as

the eldest son or issue. An *heir-presumptive*, is one who would inherit, provided his ancestor were to die at that particular time, but whose claim of inheritance may be defeated by some nearer heir being subsequently born; as in the case of a daughter, whose right of succession may be destroyed by the birth of a son. An *heir-at-law*, is one who, after his father's or ancestor's death, has a right to, and is introduced into, all his lands, &c.; but he must be of legitimate descent. An *heir by custom*, is the inheritor of an estate in places where custom alters the rule of descent; such as the custom of gavelkind, by which all the sons inherit, forming only one heir to their ancestor. An *heir by devise*, is one who has no other right or interest in the lands devised to him by will, than that which he derives from the will of the testator. An *heir male*, is the nearest male heir who can succeed. An *heir of line*, is one who succeeds lineally, by right of blood. An *heir passive*, is one whom the law makes liable to be heir. An *heir of provision*, is one who succeeds by virtue of an especial provision, in a deed or other instrument. An *heir by conquest*, is one who succeeds to the deceased in lands and other heritable rights, to which the deceased did not himself succeed as heir to his predecessors: as when a father leaves an estate which he purchased, to his second son.

HEIR-LOOM. A personal property which descends to the heir by special custom in some places, or which has been attached to the fee by the original possessor, and cannot be devised away by will.

HEREDITAMENTS. Whatever may be inherited, or come to the heir; as all immoveable things which a man may have, to him and his heirs, by way of inheritance, and which, unless otherwise devised, descend to the next heir, and do not, like chattels, fall to the executor.

HERIOT. Originally, a tribute paid to the lord of a manor for his better preparation for war. Now, the best beast, whether horse, ox, or cow, that the tenant may die possessed of, is due and payable to the lord of the manor. In some manors, the best goods, piece of plate, &c.

Heriots are usually divided into two sorts, heriot service and heriot custom : the former being such as are due upon a special reservation in a grant or lease of lands, and amounting to little more than a mere rent ; the latter arising upon no special reservation whatsoever, but depending merely upon immemorial custom and usage. Heriot service is payable on the death of a tenant in fee-simple ; heriot custom on the death of a tenant for life.

HOGSHEAD. A cask, or measure, equal to half a pipe, and containing $52\frac{1}{2}$ imperial gallons.

HOMAGE. Duty owing to a sovereign or any other superior ; also the service which a tenant pays to his lord, when admitted to land holden of the lord in fee.

HOMESOKEN. Homesoken, or hamsoken, is the privilege of freedom which every man has in his own house. He who violates that freedom is said *fucere homesoken*.

HOMICIDE. Of homicide, or the crime of killing any human being, there are three sorts : 1, *Justifiable*, which is without actual guilt, and is supposed to happen either through unavoidable necessity, or by permission of the law ; 2, *Excusable*, purely accidental, and with little if any guilt ; 3, *Felonious*, which is the highest crime against nature that a man is capable of committing, and includes three distinct offences; *suicide* or *self-murder*, *manslaughter*, and *murder*. By act 1 Victoria, c. 85, an attempt to commit murder, though no bodily injury be effected, is punishable, at the discretion of the court, with transportation for life, or for any term not less than fifteen years, or imprisonment for not less than three years. Also, for sending explosive substances, &c., with intent to do bodily harm. By the same act, stabbing, cutting, administering of poison, &c., with intent to commit murder, are punishable with death.

HOPS. In the reign of Henry VIII., the culture of hops was introduced into this country from Flanders. An excise duty of $2d.$ per lb. is levied on all hops the growth of this country. Hop-growers must give notice to the excise, on or before the 1st of August in each year, of

the number of acres they have in cultivation, the situation and number of their oasts or kilns for drying, the places of bagging, which, with the rooms in which the packages are meant to be stored, must be entered by the officer. No hops may be removed from the rooms so entered, previously to their being weighed and marked by a revenue officer, whose duty it is to mark its weight, with the name and residence of the grower, upon each bag, pocket, or other package. To counterfeit the officer's mark, subjects the party to a penalty of £100; to deface it, a penalty of £20. A pocket of hops, good in quality, well cured, and tightly trodden, should weigh about 1½ cwt.; a bag, 2½ cwt. The brighter the colour of hops, the better the quality. The Farnham growth is considered the best. A planter knowingly putting hops of different qualities or values into the same package, incurs a penalty of £20. Any person mixing drugs or other things with hops, to change their scent or colour, forfeits £5 per cwt. on all the hops so dealt with. Hops exported from this country, and afterwards imported, are to be considered as foreign. To maliciously cut or destroy hop-plantations, is punishable by transportation, or by imprisonment and hard labour.

HUE-AND-CRY. The ancient common-law process of pursuing "with horn and with voice," from hundred to hundred, and from county to county, all felons and robbers. In former times, the "hundred" was bound to make good all loss occasioned by the robberies therein committed, unless the felon were taken; but by laws of more recent date, it is answerable only for damage committed by riotous assemblies.

HUNDRED. A division or part of a county, or shire; supposed to have been originally so termed, from its having been composed of a hundred families, when the counties were thus divided by king Alfred.

HUNDRED COURT. Usually, a court baron held for the inhabitants of a hundred instead of a manor.

HUSTINGS. A term applied to the temporary stage or platform on which the votes for parliamentary candidates

are received. The Hustings Court was an ancient Court of Common Pleas, held before the lord mayor and aldermen of the city of London.

IGNORAMUS. A law term, now out of use, signifying, "We are ignorant." The word was formerly written on a bill of indictment, by the grand jury impanelled on the inquisition of criminal causes, when they considered the evidence as incomplete, or not sufficiently strong for putting a prisoner on his trial. The words now written in such cases, are, "Not a true Bill," or, "Not found."

IMPORTATION, IMPORTS, &c. To import, is to bring commodities from abroad; to export, is to send goods, merchandise, &c., to foreign countries. A great part of the revenue of England is produced by customs' duties, or duties on imported commodities. Drawbacks are allowed on many, and bounties are given on a few of the articles that are exported. The importation and exportation of goods are subject to numerous regulations, the strictest attention to which is necessary, in order that penalties and confiscation of property may be avoided. Persons engaged in commercial business of this nature, must possess themselves of the act 3 and 4 Will. 4, in which (c. 52) the regulations referred to will be found embodied. For a number of valuable tables, relating to imports and exports, M'Culloch's *Dictionary of Commerce* may be advantageously consulted.—See *Customs*.

IMPRESSION. The act of forcibly taking seamen, or others, and compelling them to serve in the royal navy. Impression, according to Lord Mansfield, is "a power founded upon immemorial usage;" and, though not expressly sanctioned by any specific act of parliament, it is considered as forming a part of the common law. Unless specially protected by statute or custom, all seafaring men are liable to impression. Under particular circumstances, seamen may obtain protection from the Admiralty, Navy Board, &c. Licensed watermen and ferrymen are exempt from impression. Apprentices, and persons under 18 and upwards of 55 years of age, are exempt. Amongst numerous statutory exemptions may

be mentioned, those referring to the coal trade, the fisheries, &c.

IMPREST. An order given by any board of commissioners to its treasurer, to advance a sum of money for some specific purpose, for which he is afterwards to account, and produce vouchers.

IMPROPRIATION. A church-living in the hands of a layman, or one which descends by inheritance.

INCH OF CANDLE. A mode of sale by auction, formerly much resorted to in the mercantile world. A small piece of wax candle, about an inch long, is kept burning, and the last bidder; when the candle goes out, is entitled to the lot or parcel exposed to sale.

INCUMBENT. The actual possessor of a church benefice.

INFANT. In the eye of the law, every person who has not attained the age of 21 years, is an infant. Yet a male at twelve years old may take the oath of allegiance; at fourteen he is at years of discretion, and therefore may disagree or assent to marriage, may choose a guardian, and, if his discretion be actually proved, may make his testament of his personal estate; at seventeen, may be an executor; and at twenty-one, is at his own disposal, and may aliene his lands, goods, and chattels. A female also at seven years of age, may be betrothed or given in marriage; at nine, is entitled to dower; at twelve, is at years of maturity, and therefore may consent or disagree to marriage, and, if proved to have sufficient discretion, may bequeath her personal estate; at fourteen, is at years of legal discretion, and may choose a guardian; at seventeen, may be executrix; and at twenty-one, may dispose of herself and her lands. In criminal cases, an infant of the age of fourteen may be capitally punished for any capital offence. With certain exceptions, an infant can neither aliene his lands, nor do any legal act, nor make a deed, nor any manner of contract, that will bind him. An infant may bind himself by parole to pay for his necessary meat, drink, apparel, physic, &c., as also for his teaching and instruction. Necessaries for an infant's wife, are necessaries for him.

INC

INCOME. Revenue; produce of any thing, annually or otherwise. The following table will be found to exhibit the amount of income, or expenditure, by the week or year, from one penny to twenty shillings, by the day.

INCOME TABLE.

One Day.	For One Week.	For One Year.
	£ s. d.	£ s. d.
1d.	0 0 7	1 10 5
2	0 1 2	3 0 10
3	0 1 9	4 11 3
4	0 2 4	6 1 8
5	0 2 11	7 12 1
6	0 3 6	9 2 6
7	0 4 1	10 12 11
8	0 4 8	12 3 4
9	0 5 3	13 13 9
10	0 5 10	15 4 2
11	0 6 5	16 14 7
1s.	0 7 0	18 5 0
2	0 14 0	36 10 0
3	1 1 0	54 15 0
4	1 8 0	73 0 0
5	1 15 0	91 5 0
6	2 2 0	109 10 0
7	2 9 0	127 15 0
8	2 16 0	146 0 0
9	3 3 0	164 5 0
10	3 10 0	182 10 0
11	3 17 0	200 15 0
12	4 4 0	219 0 0
13	4 11 0	237 5 0
14	4 18 0	255 10 0
15	5 5 0	273 15 0
16	5 12 0	292 0 0
17	5 19 0	310 5 0
18	6 6 0	328 10 0
19	6 13 0	346 15 0
20	7 0 0	365 0 0

INDEMNITY. Security from responsibility. A policy of insurance may be termed a contract of indemnity against loss by fire, water, &c. In cases of bail, it is usual to execute a bond of indemnity. If a bond, bill of exchange, &c., have been lost, or mislaid, the obligor or acceptor, ought to be secured in paying it by a bond of indemnity.

INDENTURE. A covenant so named, because the counterparts are formed or cut by each other.

INDICTMENT. A written accusation of a person, or of persons, of a crime or misdemeanour, preferred to, and presented on oath by, a grand jury.

INFANTICIDE. Child murder.

INHERITANCE. An estate in lands or tenements, inherited by a man from his ancestors.

INJUNCTION. Generally a prohibition or order of restraint issued for various purposes against a party by a court of equity; such, for instance, as to stay proceedings at law, to prevent infringements of patents, to restrain the sale of books, prints, or music, on the score of piracy, to stay waste, to prevent the transfer of stock, and the negotiation of bills, notes, &c., and to prevent the committing of nuisances. The applicant, who petitions for an injunction, must support his petition by affidavit, as to injury or loss sustained. Thus he obtains the injunction by an *ex parte* statement; but afterwards, if the defendant, on putting in his answer, can disprove the plaintiff's statement, the injunction is dissolved.

INK. Dr. Ure, in his *Dictionary of Arts, Manufactures, &c.*, affirms, that nut-galls, sulphate of iron, and gum, are the only substances truly useful in the preparation of ordinary writing ink. The same writer gives numerous recipes for the preparation of black, red, green, and yellow ink; gold and silver ink; permanent or indelible ink; sympathetic ink; Indian ink; printing ink, &c. The following is Dr. Black's recipe for writing ink:—Of powdered galls, three ounces; logwood shavings and vitriolated iron or copperas, of each, 1 ounce; water, from 2 to 3 pints, as the ink may be wished strong or

weak. Before the boiling is finished, add half an ounce of gum arabic, and when it is dissolved, strain the liquor. A grain of corrosive sublimate, placed in an ink-stand, will prevent the ink from moulding. A grain or two of prepared ox-gall, to be had at the colour-shops, is an excellent diluent for ink.

INKLE. A broad linen tape, made at Manchester, &c.

INQUEST. An assemblage of jurors, convened to take into consideration such matters as may appear in evidence before them, and to return a verdict accordingly; as, the coroner's inquest, to inquire into the cause by which any person may have come to a sudden or violent death; the parish inquest, to examine weights and measures, &c.

INQUIRENDO. Generally, an authority given to some person or persons, to inquire into something for the advantage of the crown.

INQUISITION. A proceeding in criminal or other cases, through the office of the judge.

INROLMENT. The entering or registering of a deed or other instrument in the rolls of some court of law.

INSOLVENCY. The condition of a person unable to pay his debts agreeably to general usage. "Under the bankruptcy laws," observes Mr. M'Culloch, in his *Dictionary of Commerce*, "the creditors have a compulsory authority to sequestrate the entire possessions of their debtor; under the insolvent laws, the debtor himself may make a voluntary surrender of his property for the benefit of all his creditors. From this diversity in the initiative process, results the greatest diversity in the ultimate operation of the bankrupt and insolvent acts. The proceedings under a commission [fiat] of bankrupt being instituted by the creditors, they lose all future power over the property and person of the insolvent after he has obtained his certificate; but the proceedings under the insolvent act, having been commenced by the debtor himself, he only, by the surrender of his effects, protects his *person* in future from arrest, not the property he may subsequently acquire, from liability to the payment of all his debts in full."

The court for the relief of insolvent debtors consists of three commissioners appointed by the crown. It is a court of record, with powers similar to those of the superior courts. It sits twice a-week in Portugal Street, Lincoln's Inn. No fees are taken, excepting those established by the court. The commissioners severally make circuits, with powers in the provincial towns and places appointed for country insolvents to appear at, the same as in London.

Any person in actual custody for any debt, &c., may, within fourteen days from his first arrest, petition the court for his discharge, stating the particulars of his arrest, the amount of his debts, &c. Notice of the time appointed for hearing the petition, must be given to each creditor whose debt may amount to £5, and be advertised in the London Gazette.

The insolvent, when he subscribes his petition, must execute an assignment to the provisional assignee of the court, renouncing all title to his property, with the exception of wearing apparel, bedding, working tools, and such necessaries for himself and family, as shall not exceed the value of £20. The court may, during the confinement of the petitioner, order an allowance for his support.

The filing of a petition constitutes an act of bankruptcy. And, if a fiat be issued within two calendar months, it vacates the assignment. This, however, does not stay the proceedings of the court; and, should any property remain to the petitioner after obtaining his certificate, it continues liable, as though no fiat had been issued.

Any preference of a creditor, by conveyance of money, bills, goods, &c., after the filing of the petition, or within three months before the imprisonment of the petitioner, if then insolvent, is deemed fraudulent and void.

The insolvent must, within fourteen days after the filing of his petition, prepare a schedule of his debts; also of his property and income, and of all debts owing to him, with the names, residences, &c., of his debtors. The schedule must also describe the reserved wearing apparel,

not exceeding £20 in value. Fraudulent omissions or misrepresentations, subject the insolvent to imprisonment for a term not exceeding three years.

The court, any time after the filing of the petition, appoints assignees from amongst the creditors; and, on their acceptance of the appointment, an assignment is made to them of the petitioner's effects. If the prisoner have any real estate, it must, within six months, be sold by public auction, subject to the approval of the major part in value of the creditors. If, however, any part of the property be so circumstanced that its immediate sale would be injurious to the petitioner, the court may direct the management of such property until it can be satisfactorily sold. If the debts can be paid by mortgage instead of sale, the court may give orders to that effect.

Merchandise, &c., in possession, and at the disposal of the insolvent, whereof he is the reputed owner, are considered to be his property. This, however, does not affect the assignment of any ship or vessel properly registered according to the 6th Geo. 4, c. 110.

Within every three months at the farthest, an account upon oath before an officer of the court, or a justice of the peace, must be made up by the assignees. In the event of a balance in hand, a dividend to the creditors must be forthwith made; and, of every such dividend, thirty days' previous notice must be given. Unless objected to by the insolvent, assignees, or other creditors, every creditor is allowed to share in the dividend. When objections are made, the decision rests with the court.

The assignees may exercise powers which the insolvent might have exercised; such as the granting of leases, receiving of fines, transferring of public stock, annuities, &c. But the assignees are not empowered to nominate to a vacant church living.

By the consent of one commissioner, and the major part of the creditors in value, the assignees may compound for any debt due to the prisoner; or they may submit to arbitration any differences that may arise respecting the estate of the insolvent.

In default of payment of the dividends by the assignees, their goods may be distrained; or, if there be no restraint, they may be imprisoned. Dividends, unclaimed for twelve months, must be paid into court to the credit of the insolvent's estate.

If the insolvent be a beneficed clergyman, or curate, the assignees are not entitled to the income of his benefice, or curacy. They may, however, obtain a sequestration of the profits for the benefit of the creditors.

In like manner, the assignees are not entitled to the pay, half-pay, pension, &c., of any person belonging to the army or navy; or to the civil service of the government, or of the East India Company; but the court may direct, subject to the sanction of the heads of public offices, a reasonable portion of such pay, half-pay, &c., to be set apart towards the payment of the debts of the insolvent.

On the complaint of the insolvent or of any of the creditors, the court may institute an inquiry into the conduct of the assignees, and may award costs in case of malversation.

Should assignees wilfully employ or retain any portion of the proceeds of the insolvent's estate, they may be charged with interest at a rate not exceeding £20 per cent. per annum.

On the day appointed for hearing the petition of the insolvent, any creditor may oppose his discharge; putting such questions, and examining such witnesses as may be allowed by the court. Or a creditor may ask, and the court concede, that an officer of the court shall examine the accounts of the petitioner, and report thereon. If the petitioner be not opposed, and the court be satisfied, his immediate discharge may be ordered; or the court may direct him to be detained in custody for any period not exceeding six months, to be reckoned from the time when the petition was filed. Should the petitioner have destroyed his books, falsified entries therein, wilfully omitted any thing in his schedule, or acted otherwise in

a fraudulent manner, he may be imprisoned for any period not exceeding three years.

If the petitioner have contracted debts fraudulently, or put creditors to unnecessary expense, or be indebted for damages for *crim. con.* with the plaintiff's wife, or for seducing his daughter or servant, or for breach of promise of marriage, or for damages in any action for malicious prosecution, libel, slander, or trespass, he may be imprisoned for two years.

The discharge of a petitioner extends to sums payable by way of annuity; annuitants being admitted as creditors at a fair valuation of their interest. The discharge, however, does not extend to any debt that may be due to the crown, nor for any offence against the revenue laws; nor at the suit of any sheriff, &c., upon any bail-bond relative to such offence, unless the Treasury certify consent.

Petitioners under writ of *capias* or extent, cannot be discharged without the consent of the barons of the Exchequer.

When the petitioner is not discharged, the court may order the detaining creditor to pay any sum not exceeding 4*s.* weekly. Default of payment liberates the petitioner.

Previously to adjudication on the petition, the insolvent must execute a warrant of attorney, empowering the court to enter up judgment against him, in the names of the assignees, for the amount of the debts due; and when the petitioner shall have sufficient ability to pay such debts, or may be dead, leaving assets for the purpose, the court may allow execution to be taken out against the property of the insolvent acquired subsequently to his discharge. This proceeding on the part of the court may be repeated till the whole of the debt, or debts, with costs, shall have been paid and satisfied. No person, however, after the entering up of judgment, is liable to imprisonment for any debt to which the adjudication of the court may have extended.

When a petitioner is entitled to the benefit of the act, no execution, excepting under the judgment above men-

tioned, may issue against him for debts contracted previously to his imprisonment ; but he may be proceeded against for a debt which could not be enforced at the time of his discharge. After his discharge, an insolvent may, on application to the court of one of the assignees, be examined again touching the effects set forth in his schedule ; and, on refusal to appear or answer, he may be re-committed.

Married women are entitled to the benefit of the act for the relief of insolvent debtors ; and, on executing a special assignment, may petition the court.

Neither an uncertificated bankrupt, nor any person having taken the benefit of the act, can have it a second time within five years, unless three-fourths in number and value of his creditors consent thereto ; or unless it shall appear to the court that, since his bankruptcy or discharge, he has done his utmost to pay all just demands against him ; and, that his subsequently incurred debts have been unavoidable.

Sir William Blackstone, in his 31st chapter of book 2, says of the bankrupt laws, that "they are calculated for the benefit of trade, and founded on the principles of humanity as well as justice ; and to that end they confer some privileges, not only on the creditors, but also on the bankrupt or debtor himself ;" and again, that "they are cautious of encouraging prodigality and extravagance by this indulgence to debtors ; and therefore they allow the benefit of such laws to none but actual traders ; since that set of men are, generally speaking, the only persons liable to accidental losses and to an inability of paying their debts, without any fault of their own." The law as to insolvent debtors is another thing ; it seems to have been framed for those who are either in too small a way of dealing to become bankrupts, or, not being in a mercantile state of life, are not included within the bankrupt laws, and who are discharged by virtue of such law from all suits and imprisonment upon delivering up all their estate and effects to their creditors. It has been argued, that these two courts and forms of law should be consoli-

dated. That the original intention of the bankrupt laws will be destroyed thereby is no sufficient reason against it, if it be in itself right and politic. But the systems have been so long separated, and the bankrupt laws confined so solely to traders, that it is not irrational to suppose that there must originally have been some good grounds for such separation. To grant the benefit of the bankrupt laws to any one who, by improper expenditure, may ruin himself, is to countenance (already enough done by the abolition of the law of arrest on *mesne process*), and not to discourage such conduct. Should, however, the consolidation be determined on, the mode of doing it is simple. It is merely to repeal so much of the bankrupt law as makes it necessary to prove the debtor to be, or have been, a trader; and to adopt one rule of either system of such laws (the bankrupt system is by far the better of the two) for both bankrupts and insolvent debtors; giving to each the same rule of law whereby to obtain a discharge from their debts and liabilities, and the same legal and equitable effect to such discharge when obtained.—See *Mesne Process*. By act 1 and 2 Victoria 1, c. 110, for the abolition of arrest on *mesne process*, any act committed contrary to the statute made and provided for the relief of insolvent debtors, is punishable with imprisonment for any term not exceeding three years.

INSTALMENT. Where a warrant of attorney, bond, or other instrument has been given to pay a debt by instalments—that is, in certain proportions, and at stipulated times, instead of being paid in the gross—unless it be stipulated that, upon default in payment of the first instalment that shall become due, the penalty shall attach, and the creditor shall be at liberty to proceed for the whole, he will be compelled to wait until the day after that assigned for payment of the last, before he can proceed: it is, therefore, the usual practice, to stipulate on any instrument for payment by instalments, that in default of payment of the first, the creditor shall be at liberty to proceed for the whole.

INSTRUMENT. In law, any act, deed, or other writing,

drawn up between two or more parties, and containing covenants to be performed by them respectively.

INSURANCE. The advantages of *insurance*, or *contracts of indemnity* against risk or loss, are so obvious, that it is hardly necessary to expend a line in their illustration. Commercially considered, *insurance* and *assurance* are synonymous terms; but custom applies the latter term to *life-assurance*, and the former to *insurance against fire, marine losses, &c.* The principle of mutual insurance from heavy individual loss has been brought into extensive operation in this country; and there are few who may not avail themselves, in one form or another, of the security and comfort of having any property peculiarly exposed to risk, effectually protected by the operation of insurance. The party contracting to be insured, is called the *insurer* or *assurer*; the payment, the *premium*; and the instrument binding the contract, the *party or policy of insurance*. On this principle societies have been formed for mutual protection against any *loss by fire*. These companies grant what are called *policies of insurance* for different kinds of property, upon certain conditions specified in the policies, and at certain rates proportioned to the degree of risk to which the articles of property so insured are thought to be exposed. There are three classes of fire-insurances: viz., common, hazardous, and doubly hazardous.

1. *Common insurances* may be effected at the rate of about 1s. 6d. per cent. (to which however must be added a government duty of 3s. per cent.) on brick or stone buildings, covered with slate or tile; and wherever no hazardous trade is conducted, or hazardous goods deposited; on the goods deposited in such buildings, such as furniture, books, plate, &c.; and on the merchandise, stock and utensils in trade, and farming stock. By act 3 and 4 Will. 4, c. 23, insurances on agricultural produce, farming stock, and implements of husbandry, are exempt from government-duty.

2. *Hazardous insurances* include timber buildings, thatched barns and outhouses, buildings in which hazardous trades, such as those of oilmen, soap-boilers, stable-

keepers, are carried on, or in which hazardous goods are deposited, as tallow, pitch, tar, hemp, flax, turpentine; also hay, straw, unthreshed corn, apothecaries' stock, and spirituous liquors as merchants' stock. The charge for insuring property of this description is usually by special agreement, from 2s. 6d. per cent. upwards, exclusive of government duty.

3. *Doubly hazardous insurances* comprise thatched buildings having chimneys, and all hazardous buildings in which hazardous goods are deposited, or hazardous trades carried on; but no office will insure gun-powder on the buildings in which it is made; neither will any office be answerable for the destruction of hay or corn by natural heat.

The *insurance of life* is also an eminently salutary operation. The probability of the duration of human existence, at any given period of life, in this country, can be calculated; and hence it is easy to calculate what sum of money paid annually by a person of a given age, during the whole period of his or her life, will be equivalent to a certain sum to be insured to be paid upon his or her death. Suppose an individual aged 30, and in the enjoyment of ordinary health, but whose income depends upon the continuance of his life and health, may wish to make a certain provision for his family, or dependent relatives, in the event of his sudden or early removal by death, he may effect this desirable object by an annual payment of about £24 to any respectable life-insurance office. This is called insuring one's life. If an insurer die in the course of a few years, the advantage to his family of his having effected such an insurance is obvious; for it would require 26 years before an annual saving of £24, laid out at $3\frac{1}{2}$ per cent. interest, would amount to £1000. But even supposing him to live to pay more money into the insurance-office than his heirs will receive from it at his death, the satisfaction he has long enjoyed in knowing that those dependent on him would not be thrown destitute by his death, has been cheaply purchased by the sacrifice of the sum actually overpaid.

Besides life-insurances, societies exist for the purpose

of insuring a provision against sickness and infirmity, and the other changes and chances of life, which incapacitate individuals for supporting themselves. These societies, commonly called *Benefit*, or *Friendly Societies*, were placed upon a much securer basis than formerly, by the investigations of a select committee of the House of Commons in 1825 and 1827; and by the operation of act 10 Geo. 4, c. 55.

The following table, upon which the value of annuities has been usually estimated, may be found useful:—

A TABLE of the VALUE of an ANNUITY of 100*l.*, on a single Life, from Birth to 90 Years old.

Age.	Value.	Age.	Value.	Age.	Value.	Age.	Value.
	£ s.		£ s.		£ s.		£ s.
Bth.	1032 14	23	1568 0	46	1208 18	69	664 14
1	1346 10	24	1556 0	47	1189 0	70	636 2
2	1563 6	25	1543 16	48	1168 10	71	607 10
3	1646 4	26	1531 4	49	1147 10	72	579 0
4	1701 0	27	1518 8	50	1126 8	73	550 14
5	1724 16	28	1505 6	51	1105 14	74	523 0
6	1748 4	29	1491 16	52	1084 18	75	496 4
7	1761 2	30	1478 2	53	1063 14	76	471 0
8	1766 4	31	1463 18	54	1042 2	77	445 14
9	1762 10	32	1449 10	55	1020 2	78	419 14
10	1752 6	33	1434 14	56	997 14	79	392 2
11	1739 6	34	1419 10	57	974 18	80	364 6
12	1725 2	35	1403 18	58	951 12	81	337 14
13	1710 6	36	1388 0	59	928 0	82	312 4
14	1695 0	37	1371 12	60	903 18	83	288 14
15	1679 2	38	1354 16	61	879 10	84	270 16
16	1662 10	39	1337 10	62	854 14	85	254 6
17	1646 4	40	1319 14	63	829 2	86	239 6
18	1630 18	41	1301 16	64	803 0	87	225 2
19	1616 14	42	1283 16	65	776 2	88	213 2
20	1603 6	43	1265 14	66	748 16	89	196 14
21	1591 4	44	1247 4	67	721 2	90	173 16
22	1579 14	45	1228 6	68	693 0		

The probabilities of life, taken from the government annuity tables, are at the respective ages as under; whence annuities at each period are calculated, interest being reckoned at $3\frac{1}{2}$ per cent. To these are subjoined, in the following table, the highest and lowest premiums, together with the premiums from Mr. Babbage's table, at the respective ages; thus a comparative view may be clearly taken of the whole.

Age.	Expecta- tion of life.	Annuity which would amount to £100 in that time.	Highest Prem. demanded by the offices for £100 Policy.	Lowest Prem. demanded by the offices for £100 Policy.	Premiums calculated just to be equal to the rise.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
20	32	1 14 11	2 3 7	1 10 7	1 9 6
30	29	2 0 11	2 13 5	2 0 5	1 18 6
40	24	2 14 6 $\frac{1}{2}$	3 8 0	2 15 10	2 10 9
50	18	4 1 7 $\frac{1}{2}$	4 14 2	4 0 8	3 11 0
60	13	6 4 1 $\frac{1}{2}$	7 14 11	5 14 9	5 1 3

The highest premiums taken at the respective

Ages of 20	amount to 100 <i>l.</i> in	{ 27 years and a little more. 24 20 $\frac{1}{2}$ 16 10 $\frac{1}{2}$
30		
40		
50		
60		

The lowest premium at 60 years of age will amount to £100 in fourteen years; the lowest premiums at the other ages are so similar to annuity, that it is unnecessary to go into any calculations concerning them.

The succeeding table shows the expectation of life at every age, according to the law of mortality at Carlisle:—

Age.	Expect.	Age.	Expect.	Age.	Expect.	Age.	Expect.
0	38.72	26	37.14	52	19.68	78	6.12
1	44.68	27	36.41	53	18.97	79	5.80
2	47.55	28	35.69	54	18.28	80	5.51
3	49.82	29	35.00	55	17.58	81	5.21
4	50.76	30	34.34	56	16.89	82	4.93
5	51.25	31	33.68	57	16.21	83	4.65
6	51.17	32	33.03	58	15.55	84	4.39
7	50.80	33	32.36	59	14.92	85	4.12
8	50.24	34	31.68	60	14.34	86	3.90
9	49.57	35	31.00	61	13.82	87	3.71
10	48.82	36	30.32	62	13.31	88	3.59
11	48.04	37	29.64	63	12.81	89	3.47
12	47.27	38	28.96	64	12.30	90	3.28
13	46.51	39	28.28	65	11.79	91	3.26
14	45.75	40	27.61	66	11.27	92	3.37
15	45.00	41	26.97	67	10.75	93	3.48
16	44.27	42	26.34	68	10.23	94	3.53
17	43.57	43	25.71	69	9.70	95	3.53
18	42.87	44	25.09	70	9.18	96	3.46
19	42.17	45	24.46	71	8.65	97	3.28
20	41.46	46	23.82	72	8.16	98	3.07
21	40.75	47	23.17	73	7.72	99	2.77
22	40.04	48	22.50	74	7.33	100	2.28
23	39.31	49	21.81	75	7.01	101	1.79
24	38.59	50	21.11	76	6.69	102	1.30
25	37.86	51	20.39	77	6.40	103	0.83

There are three classes of insurance offices: viz., 1. Those in which the whole profits realized are divided among the holders of the original stock; 2. Those in which all the profits are divided amongst all the members; and 3. Those in which a subscribed capital and body of proprietors being interposed between the insured and loss, the proprietors appropriate a proportion of the profits to themselves, and divide the remainder amongst the insured. The several advantages held out by these

different schemes are fully detailed in the printed proposals issued by the different insurance companies throughout the kingdom. Security against loss is the first object to be aimed at in effecting an insurance of any kind; profit is a secondary consideration in the matter of insurance; and that company, therefore, is the most eligible, so far as insuring goes, which to a large capital adds a system of judicious and well-tested management. It is clear, that the amount of the annual payment or premium should be proportionate to the age of the insurer; yet the earliest formed life-insurance company admitted every member between the age of 12 and 45 at the same rate of premium, viz., 5 per cent.! There are now from 50 to 60 societies in the United Kingdom which insure lives. A keen competition exists among them, which has produced a considerable variation in the rates of premium, and also in the acceptation of lives. Some companies do not hesitate to insure the life of any individual in whose constitution no positive disease is manifested; others again are nice in their selection, and never admit a doubtful life.

We now turn to *Marine Insurance*. A merchant or other person having occasion to transmit goods, may insure the whole or any part of a shipment of goods for a small per centage on their value. If a merchant wish to effect an insurance upon a shipment of goods to some distant port, he gives his broker written orders to do so, specifying the name of the vessel and captain, the number and value of the different packages forming the shipment, and every particular necessary for the information of the underwriters. The broker immediately fills up a printed policy of insurance, bearing a stamp according to the amount insured and the rate of premium, with the requisite particulars, and presents it to the underwriters with whom he transacts business. The duty is 2s. 6d. per cent. when the premium is at or under 20s.; and 5s. per cent. if above. Underwriters make it a rule never to hazard any large sum upon one ship, or cargo; the principle of their business being to distribute their risk over as large a number of vessels as possible, so as to multiply

the chances of escape from loss. Few indeed will go the length of £500 upon a single policy; about £200 is the average amount of risk usually undertaken by each underwriter on one vessel, or shipment of goods. Supposing then your shipment to be worth £2000, your broker will probably get your policy signed by ten different underwriters, each of whom becomes responsible to the extent of £200 in the case of total loss accruing to you. If the premium charged be 25s. per cent., and the policy stamp an additional 5s., the total sum paid for the insurance of this shipment will be £30, or 1½ per cent., exclusive of brokerage, which is usually £5 per cent. on the premium. This sum you enter as a charge upon the goods in the invoice. Should the goods be entirely lost, you recover the whole value; or if partially lost, or damaged, a proportion according to the amount of the actual loss sustained by you. In insuring goods, you should add to the amount of the invoice, the expenses of insurance and recovery in case of loss or damage. Marine insurance companies are found only in very large cities or ports. Hence orders for insurance are frequently transmitted from other places to London. The principal establishment for this purpose in the metropolis is Lloyd's. This establishment has an agent in almost every port in the world; and is accurately acquainted through them with the character and condition of almost every vessel employed in the mercantile service. When any damage has arisen to a shipment of goods insured at Lloyd's, it is the business of your correspondents at the port of discharge, to cause the resident agent of that establishment to examine into and report upon the alleged loss. This report is sworn to before the consul at the port, and upon its being received at Lloyd's, the underwriters who subscribed your policy, pay the amount of damage reported, according to the proportion in which each underwrote. When goods are insured by you as shipped on account of foreign parties, an addition of a small commission for your trouble, and a per centage for guaranteeing the solvency of the underwriters, are usually charged. When you insure goods consigned to you for

sale by a foreign house, you charge the expense of insurance in your account of sales. For a fuller exposition of the laws of insurance, *vide* Marshall's work on the subject, in 2 vols. 8vo.; McCulloch's *Commercial Dictionary*, &c.

INTEREST, &c. In a commercial sense, money is merely so much stock in trade; a man is consequently, as fully entitled to a reasonable profit upon that, as upon any other description of stock: and the rate of interest allowed for the use of money, ought to depend upon the degree of supply and of demand. If there be a great demand for an article, the holder will of course advance its price; and it may be better worth a man's while, at one time, to pay £10 per cent. for the use of money, than at another time to pay £5 per cent. That a wise man, like Aristotle, should have considered that, as money did not produce money, no return could be equitably claimed by the lender, is as surprising as it is absurd; for, in point of fact, nothing *produces* money so rapidly as money. It is probable that the prejudice against lending money upon interest originated in erroneous views of certain points of the Mosaical law. Calvin, the reformer, is believed to have been the first who exposed the absurdity of such a prejudice, which appears to have prevailed throughout the Christian world. In the year 1554, a statute was passed in this country, by which money lenders were authorised to charge £10 per cent. interest. In 1624, the rate of interest was reduced to £8 per cent.; and, by the 12° Anne, c. 16, it was further reduced to £5 per cent.; the said statute enacting, that "all persons who shall receive by means of any corrupt bargain, loan, exchange, chevizance, or interest of any wares, merchandize, or other thing whatever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance for the forbearing or giving day of payment, for one whole year for their money or other thing, above the sum of £5 for £100 for a year, shall forfeit for every such offence, the *treble* value of the monies, or other things, so lent, bargained," &c. This absurd and unjust enactment remained in force till,

by the abolition of the usury laws in the present reign, money was left to find its own value in the market. Previously to that, however, by the 1 Vic. c. 80, bills of exchange, payable at or within twelve months, were not to be liable to the laws for the prevention of usury. An indictment would also lie against a broker, under 7 Geo. 3, c. 26, § 7, for taking more than the brokerage limited by that act.

Simple interest is estimated at so much per cent. per annum, or by dividing the principal into 100 equal parts, and specifying how many of those parts are paid yearly for its use. Thus, £5 per cent., or five parts out of 100, means that the sum of £5 is paid for the use of £100 for a year; £10 for the use of £200; £2 10s. for the use of £50 for the same term, &c.

The following is a very simple rule for calculating interest at £5 per cent. :—

“ Multiply the pounds by the days, and divide the product by 365. The quotient gives the interest at £5 per cent. in shillings.”

For immediate inspection, the following table will be found extremely useful :—

INTEREST TABLE,
 Calculated to a Halfpenny; exhibiting, at one View, in Interest or Discount of 5 per Cent. from one Day to Ninety, inclusive.

INTEREST TABLE.

Dy.	£60.	£60.	£40.	£30.	£20.	£10.	£9.	£8.	£7.	£6.	£5.	£4.	£3.	£2.	£1.
	s. d.														
90	15 10	12 4	9 10	7 5	4 11	2 6	2 3	2 0	1 9	1 6	1 4	1 2	1 0	9 6	4 3
80	13 2	11 0	8 9	6 7	4 5	2 2	1 11	1 9	1 6	1 4	1 2	1 0	11 8	5 3	
70	11 6	9 7	7 8	5 9	3 10	1 11	1 9	1 6	1 4	1 2	1 0	10 8	6 4	2	
60	9 10	8 3	6 7	4 11	3 3	1 8	1 6	1 4	1 2	1 0	10 8	7 5	3 2		
50	8 2	6 10	5 6	4 1	2 9	1 4	1 3	1 1	1 1	1 1	1 1	10 8	5 4	3 1	
40	6 7	5 6	4 5	3 3	2 2	1 1	1 0	1 1	1 0	1 1	1 1	9 7	5 4	3 2	
30	4 11	4 1	3 3	2 6	1 8	1 10	1 9	1 8	1 7	1 6	1 5	1 5	4 3	2 1	
20	3 3	2 9	2 2	1 8	1 1	1 10	1 7	1 3	1 3	1 3	1 2	1 2	2 1	1 1	
10	1 8	1 4	1 1	1 0	1 0	1 9	6	3	3	2	2	2	1 1	1 1	
9	1 6	1 3	1 0	1 11	8	5	3	2	2	2	2	2	1 1	1 1	
8	1 4	1 1	1 0	9	7	5	2	2	2	2	1	1	1 1	1 1	
7	1 2	1 0	8	6	4	2	2	1	1	1	1	1	1 1	1 1	
6	1 0	10	7	5	3	2	1	1	1	1	1	1	1 1	1 1	
5	10	8	7	5	4	3	2	1	1	1	1	1	1 1	1 1	
4	8	6	5	4	3	2	1	1	1	1	1	1	1 1	1 1	
3	6	4	3	2	2	1	1	1	1	1	1	1	1 1	1 1	
2	4	2	2	1	1	1	1	1	1	1	1	1	1 1	1 1	
1	2	1	1	1	1	1	1	1	1	1	1	1	1 1	1 1	

N.B. When the fractional part of any of the different sums is under a halfpenny, it is not noticed, but if above, it is considered as one penny.

It is necessary to indicate the difference between *simple* and *compound* interest. When a sum of money is borrowed, it is usual to stipulate that the interest upon it shall regularly be paid at the termination of every year, half year, quarter, &c. A loan of this nature is said to be at *simple interest*. The principle of such a loan is, that no portion of the interest accruing upon it, should be added to the principal, or sum borrowed, to form a new principal; and, should payment of the interest fail to be made on becoming due, the lender will not in consequence be entitled to charge interest upon such unpaid interest. For instance, if the sum of £100 be lent at simple interest of £5 per cent. per annum, payable at the expiration of each year, and the borrower fail in payment of the interest, the lender, at the end of three or four years, will be entitled to no more than £15 or £20. This legal regulation, however, is frequently avoided by taking a new obligation for the principal, with the interest that may be due, included.

Money is sometimes invested so that the interest is not paid at the period when it becomes due, but is progressively added to the principal. Thus, at the expiration of every term, it may be said that a new principal is formed, composed of the original principal and the successive accumulations of interest upon interest. Money so invested is said to be lent at *compound interest*. Thus, too, if a person purchase into the funds, and regularly buy fresh stock with the dividends, his capital will increase at compound interest.

As, in many cases, in the calculation of interest on accounts current, it is of importance readily to find the number of days, from any day in any one month, to any day in any other month, the following table is given, from *M'Culloch's Dictionary of Commerce, &c.*

TABLE

For ascertaining the Number of Days from any one Day in the Year to any other Day.

Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1	32	60	91	121	152	182	213	244	274	305	335
2	33	61	92	122	153	183	214	245	275	306	336
3	34	62	93	123	154	184	215	246	276	307	337
4	35	63	94	124	155	185	216	247	277	308	338
5	36	64	95	125	156	186	217	248	278	309	339
6	37	65	96	126	157	187	218	249	279	310	340
7	38	66	97	127	158	188	219	250	280	311	341
8	39	67	98	128	159	189	220	251	281	312	342
9	40	68	99	129	160	190	221	252	282	313	343
10	41	69	100	130	161	191	222	253	283	314	344
11	42	70	101	131	162	192	223	254	284	315	345
12	43	71	102	132	163	193	224	255	285	316	346
13	44	72	103	133	164	194	225	256	286	317	347
14	45	73	104	134	165	195	226	257	287	318	348
15	46	74	105	135	166	196	227	258	288	319	349
16	47	75	106	136	167	197	228	259	289	320	350
17	48	76	107	137	168	198	229	260	290	321	351
18	49	77	108	138	169	199	230	261	291	322	352
19	50	78	109	139	170	200	231	262	292	323	353
20	51	79	110	140	171	201	232	263	293	324	354
21	52	80	111	141	172	202	233	264	294	325	355
22	53	81	112	142	173	203	234	265	295	326	356
23	54	82	113	143	174	204	235	266	296	327	357
24	55	83	114	144	175	205	236	267	297	328	358
25	56	84	115	145	176	206	237	268	298	329	359
26	57	85	116	146	177	207	238	269	299	330	360
27	58	86	117	147	178	208	239	270	300	331	361
28	59	87	118	148	179	209	240	271	301	332	362
29		88	119	149	180	210	241	272	302	333	363
30		89	120	150	181	211	242	273	303	334	364
31		90		151		212	243		304		365

Examples.—1. From January 1 to August 17, both days inclusive, the number of days is 229. To find this, look down the column headed January, to No. 17, and then, carrying the eye in a horizontal line to the column headed August, you find 229, the number required.

2. If it be required to find the number of days from any other given day after the 1st of January, to some other specific day, the number opposite the first day must be deducted from the number opposite to the second. For instance, to find the number of days between March 15 and August 23, deduct from 235, the number in the table opposite to 23 and under August, 74, the number opposite to 15 and under March, and the number 161 is the number required. Remember, that, in leap years, one must be added to the number after the 28th of February.

When interest is compound, instead of simple, the first year's or term's simple interest must be found, and added to the original principal; this will constitute the new principal, upon which interest is to be calculated for the second year or term; and the second year's or term's interest being added to this last principal, forms that upon which interest is to be calculated for the third year or term; and so on for any number of years. However, when the number of years is considerably extended, this process becomes tedious, and it is usual to have recourse to tables, of which there are numerous forms in use, constructed with reference to particular purposes. The best for general use, but now very scarce, are entitled, "Tables of Interest, Discount, and Annuities, by John Smart, Gent.," 4to. London, 1726.

INTERPLEADER. A discussion of a point incidentally presenting itself, and requiring to be disposed of before the main cause can be determined.

INTERROGATORIES. Written questions proposed to witnesses who are to be examined in any pending cause, particularly in courts of equity.

INTESTATE. One who dies without having made a will.—See *Executor*.

INVENTORY. A list or particular specification of goods and effects.

INVOICE. A bill or account of goods sent by dealers to their customers or correspondents, in which the respective marks of each package, with other particulars, are stated.

ISINGLASS. One of the finest and purest of animal glues; extensively used in cookery, for stiffening silk, making sticking-plaster, and many other purposes connected with arts and manufactures. Prepared from the air-bladders, sounds, &c., of different sorts of fish found in the rivers which fall into the Caspian and North Seas; it is imported chiefly from Russia. Sturgeon generally affords the best isinglass; after that the beluga; then the sterlet, shad, barbel, &c. When fine, it is dry, white in colour, and semi-transparent. The best is mostly rolled in the form of little ringlets; the second is laid together like the leaves of a book; the inferior sorts are merely dried without form.

ISSUE. Progeny, offspring. In law, the term is sometimes used from profits growing from an amercement, sometimes from profits of lands, tenements, &c.; more frequently from that stage of the pleadings when plaintiff and defendant have come to a distinct affirmation and denial of all the points relied upon in the case. The cause is then considered ripe for trial, and the parties are said to *join issue*.

JEOPFAIL. From the French *J'ai faille*, an oversight in pleading or other proceedings in law.

JETSAM. See *Derelicts, Flotsam, &c.*

JOINDER. Joinder in action, is the joining or coupling of two parties in one suit.

JOINTURE. A settlement of lands or tenements, made to a woman in consideration of marriage; or a covenant, whereby the husband, or some friend of his, insures to the wife lands or tenements, for the term of her life.

JUDGMENT. The sentence of the law pronounced by the court, upon the matter contained in the record. In criminal cases there are three modes by which judgment

may be reversed. The *first* is, by matter foreign to the record, without a writ of error, as where the judgment may have been given by persons not duly qualified to proceed against the prisoner. *Secondly*, by writ of error, which lies from all courts of inferior criminal jurisdiction, to the Court of King's (or Queen's) Bench, and from that to the House of Peers. *Thirdly*, by the royal pardon, which may be either absolute or conditional, in which the original sentence may be mitigated. The execution of judgment may also be temporarily suspended, in capital cases, by a reprieve.

JUNK. Remnants or pieces of old cable, &c. Junk (or jonk) is also a flat-bottomed vessel, of from 100 to 500 tons burthen, common on the coast of China. The Chinese junk, used in war as well as for commerce, usually has three masts, and a short bowsprit placed on the starboard bow.

JURAT. In certain corporations, a magistrate similar to an alderman.

JURE DIVINO. By divine right.

JURIST. One who professes the science of the civil law.

JURY. A certain number of men, sworn to inquire of and try a matter of fact, and declare the truth, upon such evidence as shall be delivered to them in a cause. A jury may be either *Grand*, *Petty*, or *Special*.

The *Grand Jury* consists of twenty-four substantial men, either gentlemen or superior yeomen, chosen indifferently by the sheriff throughout the county, to consider of all bills of indictment preferred to the court, which formerly, they either approved by writing *billa vera* (true bill) upon them, or threw out by indorsing them *ignoramus*, (we are ignorant). The words now used are, "True Bill," or, "Not a True Bill," or, "Not Found."

The *Petty Jury* is composed of twelve men, impanelled upon criminal and civil cases. They who try criminal issues, have such cases referred to them as have passed e Grand Jury, and return their verdict, *Guilty*, or *Not*

Guilty. In civil cases, the jury return their verdict, either for the *plaintiff* or the *defendant*, with such damages as they may consider just.

The *Special Jury* is a superior tribunal to a Petty Jury, in being selected from the freeholders, merchants, or higher leaseholders of the county, or city, on the application of one or both of the parties interested, for the trial of some special matter, assumed to be above the comprehension of those who generally constitute Petty Juries.

By act 6 Geo. 4, c. 50, juries are *constituted and chosen* as follows. Every man (with certain exceptions mentioned hereafter,) between the ages of twenty-one and sixty years, who shall have, in his own name or in trust for him, £10 by the year, above reprises in lands or tenements, (whether of freehold, copyhold, or customary tenure, or of ancient demesne,) or in rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee-simple, fee-tail, or for the life of himself or some other person ; or who shall have £20 by the year, above reprises in lands or tenements, held by lease or leases, for the absolute term of twenty-one years, or some longer term, or for any term of years determinable on any life or lives ; or who, being a householder, shall be rated or assessed to the poor rate, or to the inhabited house duty, in the county of Middlesex, on a value not less than £30, or in any other county, on a value not less than £20 ; or who shall occupy a house containing not fewer than fifteen windows, shall be qualified and liable to serve on juries. And every man, (with the exceptions mentioned hereafter,) being between the aforesaid ages, residing in any county in Wales, and being there qualified to the extent of three fifths of any of the foregoing qualifications, shall be qualified and liable to serve on juries.

The following persons are *exempted from serving upon juries*. Peers, judges, clergymen, priests of the Roman Catholic faith, all persons who shall teach or preach in any congregation of Protestant Dissenters, whose place of meeting is duly registered, and who shall follow no secular

occupation, except that of a schoolmaster ; serjeants and barristers at law, actually practising ; members of the society of doctors at law, and advocates of the civil law, actually practising ; attorneys, solicitors, and proctors, actually practising, and having duly taken out their annual certificates ; all officers of any such courts actually exercising the duties of their respective offices ; all coroners, gaolers, and keepers of houses of correction ; all members and licentiates of the Royal College of Physicians in London, actually practising ; all surgeons being members of the royal colleges in London, Edinburgh, or Dublin, and actually practising ; all apothecaries certified by the court of the examiners of the apothecaries' company, and actually practising ; all officers in the royal navy or army, on full pay ; all pilots licensed by the Trinity House of Deptford Strond, Kingston-upon-Hull, or Newcastle-upon-Tyne, and all masters of vessels in the buoy and light service, employed by either of those corporations, and all pilots licensed by the lord wardens of the cinque ports, or under any act of parliament or charter for the regulation of pilots in any other port ; all the household servants of Her Majesty ; all officers of customs and excise ; and all sheriffs' officers, high constables, and parish clerks ; also, all persons exempt from serving upon juries in any of the courts, by virtue of any prescription, charter, grant, or writ.

With reference to *disqualification*—no man, not being a natural-born subject, shall be qualified, excepting only in the cases hereafter provided for ; and no man who has been attainted of any treason or felony, or convicted of any crime that is infamous, unless he shall have obtained a free pardon, nor any man who is under outlawry or excommunication, is or shall be qualified to serve on juries.

When any person is indicted for *high treason*, or *mispri-
son of treason*, in any court other than the Court of King's (or Queen's) Bench, a list of the petty jury, mentioning the names, professions, and places of abode of the jurors, shall be given at the same time that the copy of the indictment is delivered to the party indicted, which

shall be ten days before the arraignment, and in the presence of two or more credible witnesses ; and when any person is indicted for high treason, or misprision of treason, in the Court of King's (or Queen's) Bench, a copy of the indictment shall be delivered within the time and in the manner aforesaid ; but the list of the petty jury may be delivered to the party indicted, at any time after the arraignment, so as the same be delivered ten days before the day of trial ; provided always, that nothing herein contained shall any ways extend to any indictment for high treason, in compassing or imagining the death of the sovereign, or for misprision of such treason, where the overt act or acts of such treason alleged in the indictment, shall be the assassination or killing of the sovereign, or any direct attempt against his or her life, or any direct attempt against his or her person, whereby his or her life may be endangered, or his or her person may suffer bodily harm ; or to any indictment of high treason for counterfeiting his or her majesty's coin, the great seal or privy seal, his or her sign manual or privy signet ; or to any indictment of high treason, or to any proceedings thereupon, against any offender or offenders, who by any act or acts in force, is or are to be indicted, arraigned, tried, and convicted by such like evidence, and in such manner, as if used and allowed against offenders for counterfeiting his or her majesty's coin.

The judges may direct the sheriff to *summon and impanel* such number of jurors, not exceeding 144, to serve indiscriminately on the criminal and civil side ; and to divide such jurors equally into two sets, the first of which sets shall attend and serve for so many days at the beginning of each assize, and the other shall attend and serve the residue of such assize ; provided, that the sheriff shall specify whether the juror named is in the first or second set, and at what time his attendance will be required. And in any cases wherein an order for a view shall have been obtained, it shall be lawful for the judge before whom such case is to be tried, on the application of the party obtaining such order, to appoint such case to be

tried during the attendance and service of that set of jurors in which the viewers, or the major part of them, may be included.

If any man shall be returned as a juror, who shall not be qualified according to the act 6 Geo. 4, c. 50, the want of such qualification shall be good *cause of challenge*; but if any person returned as a juror, shall be qualified in other respects, according to the act, the want of freehold shall not in any case, civil or criminal, be accepted as good cause of challenge, nor as cause for discharging the man so returned; but this is not to extend to special jurors. Challenges may be made, either on the part of the crown, or on that of the prisoner. According to act 6 Geo. 4, c. 50, § 47, when an alien is indicted, the sheriff must return for one half of the jury, a competent number of foreigners, if so many there be in the place, who shall not be challenged for want of freehold or other qualification. Challenges are either *challenges for cause*, or *peremptory challenges*. But peremptory challenges, though granted to the prisoner, are denied to the crown by the 33° Edw. 1, st. 4, which enacts, that the king shall challenge no jurors without assigning a cause certain. However, it is held, that the king need not assign his cause of challenge till all the panel shall have been gone through, and unless there cannot be a full jury without the person so challenged. Where there is a challenge for cause, two persons in court, not of the jury, are sworn to try whether the jurymen challenged will try the prisoner indifferently. The peremptory challenges of the prisoner must, however, have some reasonable boundary; otherwise he might never be put on his trial. By 22 Henry 8, c. 14, and by 7 Geo. 4, c. 64, § 7 & 8, no person arraigned for felony can be admitted to make any more than twenty peremptory challenges. By 7 and 8 Geo. 4, if any person indicted for any treason, felony, or piracy, shall challenge peremptorily a greater number of the jury than such person is entitled by law so to challenge, every peremptory challenge beyond the number allowed by law in any of the said cases, shall be entirely void, and the

trial of such person shall proceed as if no such challenge had been made. If, by reason of challenges, or default of jurors, a sufficient number cannot be had of the original panel, a *tales* may be awarded, as in civil causes, till the number of twelve be sworn.

Special Juries are thus constituted :—every man who shall be described in the jurors' book, as an esquire or person of higher degree, or as a banker or merchant, shall be qualified and liable to serve on special juries ; and the sheriff shall, within ten days after the delivery of the jurors' book for the current year, take from such book the names of all men who shall be so described, and shall cause their names to be fairly and truly copied in alphabetical order, with their respective places of abode, &c., in a separate list, to be subjoined to the jurors' book, which shall be called “the special jurors' list,” and shall prefix to every name in such list, its proper number, beginning the numbers from the first name, and continuing them in a regular arithmetical series down to the last ; and shall cause the said several numbers to be written upon distinct pieces of parchment or card, as nearly as may be of equal size ; and after the said numbers shall have been so written, shall put them together in a separate drawer or box. Whenever a special jury is ordered to be struck, the officer shall appoint a time and place for its nomination ; and a copy of the rule of court shall be served on the under sheriff of the county, or on the secondary of the city of London, and also on all the parties ; and the said officer, at the time and place appointed, being attended by the under sheriff or secondary, or his agent, shall put all the said numbers into a box, and shall draw out forty-eight of the said numbers, one after another, and shall, as each number is drawn, refer to the corresponding number in the special jurors' list, and read aloud the name designated by such number ; and if, at the so reading any name, either party, or his attorney, shall make a valid objection, such name shall be set aside, and the officer shall draw out another number, which name may in like manner be set aside, and so until

the whole number of forty-eight names shall be completed. The person applying for a special jury, shall pay the fees for striking such jury, and all the expenses occasioned by the trial of the cause by the same, and shall not have any further or other allowance for the same, upon taxation of costs, than such person would be entitled unto in case the cause had been tried by a common jury; unless the judge before whom the cause is tried, shall immediately after the verdict, certify, under his hand, upon the back of the record, that the same was a cause proper to be tried by a special jury. No special juryman shall receive more than the sum of one guinea for serving on each cause.

The *fining of jurymen for non-appearance*, is a point of great importance. If any man, having been duly summoned to attend on any kind of jury, shall not attend; or being thrice called, shall not answer to his name; or if any such man, or any talesman, after having been called, shall be present but not appear, or after his appearance shall wilfully withdraw himself, the court shall set such fine (unless some reasonable excuse shall be proved by oath,) as it shall think meet; provided, that where any viewer, having been duly summoned to attend, shall make default, the court is authorized to set upon such viewer, (unless some reasonable excuse shall be proved as aforesaid,) a fine to the amount of £10 at the least. Every man duly summoned to serve upon any jury, to be tried in any court of record holden within the *City of London*, or in any other liberty, franchise, city, borough, or town, who shall not appear, (after being openly called three times,) shall forfeit, not exceeding 40s., nor less than 20s., unless some just cause shall be made appear by oath, to the satisfaction of the court.

No sheriff, under-sheriff, coroner, elisor, bailiff, or other officer or person whatsoever, shall, directly or indirectly, take or receive any money or other reward, to excuse any man from serving, or from being summoned to serve on juries; and no bailiff, or other officer appointed by any sheriff, &c., to summon juries, shall summon any man to

serve thereon, other than those whose names are specified in a warrant or mandate. Every person summoned, and having duly attended or served until discharged by the court, may, on the payment of one shilling, receive a certificate testifying such service.

No man shall be returned as a juror, to serve at any session of *nisi prius* or of gaol delivery, in the county of Middlesex, who has served as a juror at either of such sessions, in either of the two terms or vacations next immediately preceding. And no man shall be returned as a juror to serve on trials before any court of assize, *nisi prius*, oyer and terminer, or gaol delivery, or any of the courts of the three counties palatine, or the great sessions, who has served as a juror at any of such courts within one year before in Wales, or in the counties of Hereford, Cambridge, Huntingdon, or Rutland, or four years before in the county of York, or two years before in any other county ; and no man shall be returned to serve upon any grand or petty jury, at any sessions of the peace, who has served at any such session within one year before in Wales, or in the counties of Hereford, Cambridge, Huntingdon or Rutland, or two years before in any other county.

As a protection to jurors, it shall not be lawful either for the king, queen, or any one on his or her behalf, or for any party in any case whatever, to commence or prosecute any writ of attaint against any juror or jurors for their verdict, or against the parties who shall have judgment upon such verdict. And no inquest shall be taken to inquire of the concealment of other inquests.

Every person who may be guilty of the offence of *embracery*, (or attempting to influence a jury corruptly by promises, persuasions, entreaties, money, entertainments, &c.,) and every juror who shall wilfully or corruptly consent thereto, shall be proceeded against by indictment or information, and shall be punished by fine or imprisonment.

Jus. *Jus Coronae*, the right of the crown ; *Jus Gen-*

tium, the law of nations; Jus in Re, complete and full right.

JUSTICES. Officers deputed by the crown to administer justice, and give a right and lawful judgment. Of these there are several descriptions. 1. *The Chief Justice of the Common Pleas* is a lord by virtue of his office; and, with his assistants, he hears and determines all causes at the common law; that is, all civil causes between common persons. 2. *The Chief Justice of the King's (or Queen's) Bench*, is also a lord by his office, and *Chief Justice of England*. He hears and determines all pleas of the crown; such as common offences committed against the crown, dignity, and peace of the king or queen, as treasons, felonies, &c. 3. *The Justice of the Hundred* is the lord, or alderman, of the hundred indicted. 4. *The Justice Sent* is the supreme forest court, always held before the Lord Chief Justice in Eyre (see *Eyre*,) of the forest. 5. *Justices of Assize* are those which, by special commission, are sent into any particular county, to hold assizes for the ease of the subject. 6. *Justices in Eyre* are commissioned to go into different counties, to hear such causes as are termed pleas of the crown: the original object of their appointment, was to ease the people of coming to the court of King's Bench, at Westminster. 7. *Justices of Gaol delivery* are those who are sent with commission to hear and determine causes belonging to those who for any offence may have been cast into prison. 8. *Justices of Labourers* were, in former times, appointed to curb the frowardness of labouring men, who would either be idle or exact unreasonable wages. 9. *Justices of Nisi Prius* are now the same with justices of assize, and are so called from the words of the adjournment, *nisi prius iustitiarii venerint ad eas partes ad capiendas assisas*; that is, unless the justices come before into those parts to take assizes; it being a usual adjournment of a cause in the Common Pleas to put it off to such a day. 10. *Justices of Oyer and Terminer*, are justices deputed upon some special and extraordinary occasion, to hear and determine

some peculiar causes. 11. *Justices of the Pavilion*, were certain justices of a *pie-powder* court, which, in ancient times, the Bishop of Winchester was accustomed to authorize at a fair kept at St. Giles's Hill, near Winchester. 12. *Justices of the Peace* are appointed by the king's or queen's commission, to maintain the peace in the counties in which they reside. 13. *Justices of the Quorum*, are such of the justices aforesaid, whose commission begins with the words from which they derive their designation; *Quorum aliquem vestrum unum esse volumus*; a certain number of whom are required to be present for executing the power given by the commission. 14. *Justices of Trial*, or *Trial Busters*, were certain justices appointed by King Edward, I., to make inquisition through the realm upon all officers, touching bribery, extortion, &c., as also upon breakers of the peace, barrators, and other offenders. 15. *Lords Justices of the Kingdom*, are persons deputed to be regents or chief governors of the realm during the king's or queen's absence.

KALI. Kali, *salsola soda*, or glass wort, an annual plant that grows on sea-coasts, and whose ashes constitute the alkali which is used in the manufacture of soap. For this purpose the ashes are made into a ley, and boiled with oil. From the ashes, then called pulverine, is also extracted an alkaline salt, which, mixed with sand, forms crystal glass.

KEDGE. A small anchor, mostly used where a ship lies in the stream, to keep her steady and clear from the bower anchor at the turn of the tide, &c.

KEEL. A low flat-bottomed vessel, used in the Tyne to bring coals from Newcastle, &c., to the shipping. Hence, a collier is said to "burthen so many keel of coals." A keel should carry eight Newcastle chaldrons, or twenty tons four cwt., and has marks on the stern and bow to indicate the weight of coal contained.

KEG. A small cask of from four to five gallons, generally used as a fish-barrel. A keg of spirits is five gallons, old measure.

KELP. Crude alkaline matter, produced from the

ashes of various species of *fuci*, or sea-weed, and chiefly used in the manufacture of green glass.

KENTLEDGE. Pigs of iron for ballast, laid on the floor of a ship near the kelson, fore and aft.

KERMES. Kermes grains are the dried bodies of the female insects *coccus ilicis*, of which there are several varieties, and which are chiefly found upon the leaves of the *quercus ilex*, or prickly oak. As a dyeing substance, kermes was known in Egypt as early as the days of Moses; and in India it has been employed from time immemorial, to dye silk red or scarlet. Since the introduction of cochineal, it has been regarded as comparatively of slight importance. Beckmann, in his History of Inventions, gives a very curious account of the insect.

KILDERKIN. An English ale measure of eighteen gallons.

KINDRED. "The doctrine of lineal consanguinity," observes Blackstone, "is sufficiently plain and obvious; but it is at first view astonishing to consider the number of degrees; and so many different bloods is a man said to contain in his veins, as he hath lineal ancestors. Of these, he hath two in the first ascending degree, his own parents; he hath four in the second, the parents of his father and the parents of his mother; he hath eight in the third, the parents of his two grandfathers and two grandmothers; and by the same rule of progression, he hath a hundred and twenty in the seventh; a thousand and twenty-four in the tenth; and at the twentieth degree, or the distance of twenty generations, every man hath a million of ancestors, as common arithmetic will demonstrate." Collateral kindred answers to the same description; collateral relations agree with the lineal in this, that they descend from the same stock or ancestor; but differing in this, that they do not descend from the one to the other. By our ancient but now exploded law, estates were kept in a line of descent from the first purchaser, by excluding the half blood from the right of inheritance. Also, until the reign of William 4, (3 and 4 Will. 4, c. 106,) inheritances could descend, but not

ascend. In the right line, children inherited to their ancestors without limitation; but ancestors could not inherit from their children. For instance, if a son purchased land, and died before his father, the latter could not inherit it. Yet it could ascend collaterally, as where the son's land came to his uncle, and then to the father. In the collateral line, the uncle inherited the nephew, and the nephew the uncle. Now, every lineal ancestor is capable of being heir to any of his issue, and shall be preferred to collaterals.

KING'S BENCH. The Court of King's (or Queen's) Bench, so called because the king used formerly to sit there in person, the style of the court still being *coram ipso rege*, before the king himself, is the supreme court of common law, and keeps all inferior jurisdictions within the bounds of their authority, and may either remove their proceedings to be determined within its own walls, or prohibit their progress below. It consists of a chief justice and four *puisne* justices, who are by their office the sovereign conservators of the peace, and supreme coroners of the kingdom. This court superintends all civil corporations, and commands magistrates and others to do what their duty requires of them, in every case where there may be no other specific remedy. It takes cognisance of both civil and criminal causes: of the former, in what is called the crown side; of the latter, in the plea side of the court. The Court of King's Bench is a court of appeal from all other courts of record in England; yet, if the subject be not satisfied, he may out of this court further remove his suit, by writ of error, into the House of Lords, or the Court of Exchequer Chamber, according to the nature of his suit, or the manner in which it may have been prosecuted.

KOFF. A Dutch vessel of burden, with mainmast and foremast, and a large spritsail set abaft each.

LAC. A lac of rupees is 100,000 in number.—See page 71.

Lac, erroneously called a gum, is produced in Assam, Bengal, Pegu, Siam, &c., on the leaves of certain trees,

by an insect called "chermes lacca;" or rather, it is the cell of the insect, coloured red by the dead body of the insect contained within it. It possesses the properties of a resin, and is the basis of many varnishes, and of the best sorts of sealing-wax. It also yields a fine red dye, and is used in painting. It is distinguished as stick-lac, seed-lac, cake-lac or lump-lac, and shell-lac. The last named is the sort usually imported. That which, on breaking a piece from the edge, appears of an amber colour, is the best. The very thick, hard, or speckled, should be rejected.

LACE. Lace, from *lacinia*, the fringe, or guard-hem of a garment, is a texture plain or ornamented, composed of many threads of gold, silver, silk, flax, or cotton interwoven. Licenses must be obtained annually from the Stamp office, for the sale of foreign and British lace; and all dealers therein must have the words "Dealer in Foreign Lace," or "Dealer in British Lace," visibly affixed upon the place where they traffic in the same. The regulations respecting the importation and sale, &c., of foreign lace, are stringent and numerous, and involve several heavy penalties.

LADING, BILL OF. See page 36.

LAGAN. See *Flotsam*, &c.

LAMP. Lamps differ greatly in principle, form, and construction. The first great novelty of principle, was that of Argand's lamp, with a circular wick, through which a current of air rushes. This was introduced more than half a century ago. Within that period, innumerable modifications of the same principle have been brought forward, with more or less effect, as to intensity, brilliancy, and economy of light. Dr. Ure, who has devoted many years of his life to the subject, has at length produced a lamp, which, for the table, and almost every other purpose of illumination, combines economy, purity, brilliancy, and intensity, in an extraordinary degree. Not requiring the fine and high-priced sperm oil, common fish oil, of from 3*s.* to 3*s.* 6*d.* per gallon, produces, in Dr. Ure's lamp, a superior light to that of lamps of the old con-

struction with the best oil. The cost is comparatively insignificant ; neither smoke nor smell issues from the flame ; and, even throughout the longest evening, no trimming is required. The light may be increased or diminished at pleasure.—See *Candle, Gas, &c.*

LAMP, SAFETY. The protecting principle of Sir Humphry Davy's safety lamp, which may be securely used in coal mines charged with inflammable gas, is simply that of covering the flame with fine wire gauze.

LANDLORD. The owner or proprietor of lands or tenements.

LANDLORD AND TENANT. The relations between landlord and tenant, are of a complex and multifarious character : we shall mention a few of the more obvious and important. In taking a house, examine the covenants in the original lease, and those in the under-lease, if any. Be satisfied that the rent reserved in the original lease, as well as the ground rent and all rates and taxes, are paid up to the time of taking possession. Equal caution is necessary in taking unfurnished lodgings. In purchasing a lease of a tenant, see that fixtures, &c., belonging to the premises are not paid for together with those belonging to the tenant. The tenant may remove or sell any fixtures, &c., erected for the purposes of trade ; provided it be done during the term of the lease, or afterwards by permission of the lessor. Also, things merely ornamental, wainscots fixed with screws, &c. Rent is demandable and payable at any time before sunset on the day on which it is made payable, so that there be light enough for the landlord to count it by. A demand of rent is necessary before a landlord can enter premises for its non-payment, unless the necessity of such demand be waived by the express agreement of the tenant ; and unless where six months' rent is in arrear, and there is not a sufficient distress upon the premises. (See *Distress.*) A tender of rent at the proper time and place, will save a distress, or entry, though the landlord refuse to take it ; the tenant having done all that he was bound to do ; but the landlord may still maintain an action for debt or

covenant. Rent in arrear may be recovered, either by action at law, by distress on the premises, or by ejectment. (See *Ejectment*.) Before the removal of goods taken in execution from the premises, the party at whose suit the execution has been obtained, shall pay to the landlord all rent due upon the premises, provided it amount to no more than one year's rent. Warning, or notice to quit, is necessary only where the duration of the estate is fixed to no certain time, but depends on the pleasure of the parties, or some other uncertain event; as, tenant for the life of another, tenant from year to year, as long as the parties shall agree, &c.; for where premises are held on lease for a certain time, the tenant may be ejected at the expiration of his lease, without any previous notice to quit. But, in order to charge a tenant with double rent, (4 Geo. 2, c. 28,) in case he should hold over after the end of the lease, reasonable notice must be given him to quit at the expiration of his term. In all cases where the estate is determinable at the will of either party, or at any other undetermined or uncertain period, the tenant cannot be ejected till half a year's notice has been given him to quit the premises; and such notice, in the case of a tenant from year to year, must generally expire at the same time of the year as that on which the tenancy commenced; as, if a demise be given from Midsummer to Midsummer, the notice to quit must be given at Christmas, so as to expire at Midsummer. By the custom of London, a tenant at will, under the yearly rent of 40s., shall have a quarter's warning; and paying above 40s., shall have half a year's warning. With respect to lodgings, one exception must be made to the rule, that notice must expire on the quarter day whereon the tenancy began. These depend on agreement between the parties, or on the circumstances of the case, as the length of time for which they have been taken, &c.; if for a less time than a year certain, any reasonable notice is sufficient. In London, if no particular notice have been mentioned, it is generally understood that a week's notice shall be given, if the apartments are taken by the

week, and a month's notice if taken by the month; but if taken for a week, or a month, or any other time certain, no notice is required or expected. In general, where notice is required by law to be given to any party, leaving it at his dwelling-house is sufficient.

LAND-WAITER. An officer of the customs, whose duty it is, upon the landing of goods or merchandise, to examine, weigh, &c., and take account of the same, with reference to the payment of duties on the cargo. Land-waiters are also associated with patent searchers for the cognizance and execution of cockets, and in cases where drawbacks or bounties are to be paid.

LARCENY. Theft or felony of another's goods in his absence. It was formerly divided into "grand larceny" and "petit larceny;" the former, when the value of the property stolen exceeded 12d., and the latter when it did not exceed that sum; but the distinction was abolished by the statute of 7 and 8 Geo. 4, c. 29, which left the punishments the same, in all cases, as they were previously for grand larceny.

LAST. An uncertain quantity, generally estimated at 4000 pounds weight, but varying in different countries, and for different articles.

LASTAGE. Sand or ballast, laid at the bottom of a ship to keep her steady.

LATHE. A division of a county, embracing three or more hundreds.

LATITAT. A writ by which men were originally called to answer in personal actions in the King's Bench; abolished act 2 Will. 4, c. 39.

LATTEN. Thin iron plates tinned over, of which tea-canisters, &c., are made.

LAWN. Fine linen, resembling cambric, and formerly manufactured only in France and Flanders, but now of equal quality in Scotland and the north of Ireland.

LAZARETTO. A place appointed for the performance of quarantine.—See *Quarantine*.

LEAGUE. A measure of length, generally comprising three miles, but varying in different countries.

LEAKAGE. An allowance of the customs to importers of wine, for waste and damage sustained by keeping.

LEASE. From *locatio*, letting; a legal contract, by which, in consideration of a stipulated payment, or payments, possession is granted for a term of years, for life, or at will. He who lets is called the "lessor," and he to whom the lands, &c., are let, is the "lessee."

LEASE AND RELEASE. A conveyance of the fee-simple, right, or interest, in lands or tenements, giving first the possession and afterwards the interest in the estate conveyed.

LEDGER. See *Book-keeping*.

LEET. The Court-Leet is a court of record, incident to a hundred, for punishing offences against the crown. It takes cognizance of misdemeanours, nuisances, false weights and measures, unlawful games, forestalling, &c. It is sometimes called the "View of Frank-pledge," as the sovereign is to be there certified, by the view of the steward, how many people are within every leet, &c.

LEGACY. A bequest, or gift of goods or chattels by will or testament. The person to whom the property is bequeathed is termed the "legatee;" and, if the gift is of the residue of an estate, after payment of debts and legacies, he is styled the "residuary legatee."

LEGATE. The Court of the Legate was constituted by Cardinal Wolsey, to prove wills, and to try offences against the spiritual laws.

LEGEM. *Legem facere*, to make law on oath; *legem habere*, to be capable of giving evidence on oath.

LETTER. See *Credit*. A Letter (or Power) of Attorney, is a writing which empowers some one person therein named, to act for another. A Letter of Marque, or according to the more usual term, Letters of Marque and Reprisal, is a power granted by the Lords of the Admiralty, to ships fitted out by individuals to act against the common enemy. These instruments "are grantable by the law of nations, whenever the subjects of one state are oppressed and injured by those of another, and justice is denied by that state to which the oppressor belongs." A

Letter of License is a written permission, granted to a person under pecuniary embarrassment, allowing him to conduct his affairs for a certain time, without being molested. Such instrument will bind all the creditors by whom it may be executed, and it generally contains certain stipulations to be observed by all parties. Letter (or Letters) Patent, a privilege granted to the inventor of a specified thing, to prevent others from copying or using it, for a certain number of years. It is an open writing, sealed with the great seal of England. The conditions on which a patent is granted for any new invention are, that such invention be *original*, and *never before executed in this country*; that it be beneficial to the public; and that the patentee give in, within three months from the date of obtaining the patent, such a specification or description of the original invention, that other persons conversant with the subject, may put it in practice at the expiration of the term for which the patent is granted.

LETTERS. See *Postage*.

LEVARI FACIAS. A writ of execution directed to the sheriff, for levying a sum of money upon a man's lands and tenements, goods and chattels, who has forfeited his recognizance.

LEX MERCATORIA. The custom, or law, of merchants.

LIBEL. From *libellus*, a little book. In its most extensive signification, any writing, picture, &c., of an immoral or illegal tendency; but, in a particular sense, a malicious defamation of any person, made public by either printing, writing, signs, or pictures, in order to provoke him to wrath, or expose him to public hatred and ridicule. It is held to be immaterial, with respect to the essence of a libel, whether it be true or false, since the provocation, and not the falsehood, is the thing to be punished criminally. For libel, there are two remedies: one, by indictment, the other by action. In an action, if the defendant can make proof of the words, he may plead, as a justification, that they are true; but as intimated above, if a person be prosecuted by indictment for a libel

against another, it is immaterial whether the matter be true or false. In all cases of libel, the measure of punishment is vested in the hands of the court; and the judgment generally embraces both fine and imprisonment.

LICENSE. A legal authority given for the performance of some specified act.—See *Letter*.

LICENSES. Licenses to particular trades, &c., form a branch of the ordinary revenues of the country. For instance, annually:—Auctioneers, £5; Appraisers, not being auctioneers, 10s.; Bankers, £30; Brewers of strong beer, according to the number of barrels brewed, from 10s. to £75; Brewers of table beer, from 10s. to £2; Retail Brewers of strong beer only, £5 5s.; Retailers of beer, cyder, &c., various, according to circumstances; Dealers in coffee, &c., 11s.; Glass makers, for every glass-house, £20; Maltsters, from 2s. 6d. to £4. 10s., according to quantity; Paper-makers, &c., £4; Paper stainers, for hangings, &c., £4; Pawnbrokers, in London and Westminster, or within the limits of what was the two-penny-post, £15, or in any other place, £7. 10s.; to exercise the faculty of physic, £15; Soap-makers, £4; Distillers, rectifiers, and wholesale dealers in spirits, £10; Retailers in ditto, from £2. 2s. to £10. 10s., according to rent of premises; Starch-makers, £5; makers of home wines, &c., £2. 2s., and retailers of ditto, £1. 1s.; manufacturers of tobacco and snuff, from £5 to £30, according to quantity; dealers in ditto, £5; Vinegar makers, &c., £5; dealers in foreign wine, from £2. 2s. to £10, dependant on the licenses they may have or not have for retailing spirits and beer; vessels, on board of which liquors and tobacco are sold, 20s.; dealers in gold or silver plate, of a certain quality, £2. 6s.; and if of higher quality, £5. 15s.; and every pawnbroker taking in or delivering out pawns of such plate, and every refiner of gold or silver, £5. 15s.

In commerce, the rules and regulations respecting licenses to ships, are embodied in the act 3 and 4 Will. 4, c. 53.

LIEN. The right which one person possesses of de-

taining property belonging to another, until some demand be satisfied. Liens are of two sorts, particular and general; the former, a right to retain the property of another on account of labour employed, or money expended on that property; the latter, a right to retain the property of another on account of a general balance due from the owner of such property. The property on which a lien exists being considered as a pledge, may be detained, though of greater value than the debt for which it is held, until the whole of that debt be discharged. But all liens exist only while the party entitled to them continues in possession of the property in which they have been acquired; for if he once relinquish that possession after the lien attaches, the lien is gone. Attorneys and solicitors have a general lien for their bill of costs upon all papers in their possession, belonging to their own clients; but they cannot, for that purpose, detain papers belonging to third parties. Bankers have a general lien upon all securities put into their possession in the way of their trade, provided they have not been delivered under circumstances which prove the contrary. No lien can be acquired upon property delivered by a trader who has committed an act of bankruptcy, or who has, in contemplation of his insolvency, assigned such property to a creditor, unless given without fraud or collusion previously to the commission of the act. Factors, brokers, and agents, whether home or foreign, have a lien upon all property of their principal in their possession, or the proceeds thereof, even in the hands of the purchasers, as well for the charges incident to that particular property, as for the general balance of their accounts; and this not only on the particular goods for which the charges are incurred, but on all goods belonging to their principal in their possession.

LIGHTER. A large, open (or sometimes decked,) flat-bottomed vessel, managed with oars, and employed to carry goods to or from the shore for shipping.

LIGHT-HOUSE. An elevated building on a promontory of the sea-coast, or on a rock in the sea, for the

exhibition of lights, stationary or revolving, for the guidance of ships at night. All light-houses, floating lights, buoys, &c., on and around the coasts of England and Wales, are under the controul and management of the Trinity House; and those on the coasts of Scotland and Ireland respectively under the Commissioners of Northern Lights, and the Commissioners for Improving the Port of Dublin. Custom-house officers are not to make out any cocket or other discharge, or take any report outwards, for any ship, until the light-duties have been paid, and receipt of their payment produced. Generally the duties are payable only once for each respective voyage *out* and *in*; but a single passage subjects every ship-master to the payment of the full duties. All ships, British and foreign, are rated for the payment of the duties according to their full burthen. All important regulations respecting light-houses are embodied in the act 6 and 7 Will. 4, c. 79. An account is furnished by the Trinity House of the names of the lights under its controul, the rates of charge, &c. The Lords of the Admiralty have also issued a tabular descriptive statement (highly important to mariners,) of the principal light-houses on the British and Irish coasts.

LIMITATIONS, STATUTE OF. According to act 21 Jac. 1, c. 16, all actions of trespass *quare clausum fregit*, all actions of trespass, detinue, trover, and replevin, all actions of account, and upon the case (other than such accounts as concern the trade of merchandise,) between merchant and merchant; all actions of debt grounded upon any lending, or contract without specialty, (that is not being by deed or under seal,) and all actions of debt for arrears of rent, shall be commenced within six years after the cause of such action. In merchant's accounts, those only which are open and current are within the statute. The statute makes an exception for all persons who shall be under age, *femes coverts, non compotes mentis*, in prison, or abroad, when the cause of action accrues; and the limitations commence only from the time when their impediments or disabilities were removed. The exception as to persons being beyond sea, extends only where

the creditors or plaintiff's are so absent, and not to debtors or defendants. Formerly, any acknowledgment of the debt, howsoever slight, would take it out of the statute, and the limitation would run from that time; and where there were two or more drawers of a joint and several promissory notes, the acknowledgment of any one might be given in evidence in a separate action against another, and would defeat the effect of the statute. But now, by act 9 Geo. 4, c. 14, such acknowledgment, to be effectual, must be in writing; and where there are two or more joint contractors, one shall be liable in consequence of any acknowledgment or promise made by another of them.

LITHOGRAPHY. The act of taking impressions from drawings or writings, made on a prepared and highly polished stone. The impressions may be made to imitate chalk-drawing, mezzotint, pen and ink, and even etching. As the process is both cheap and expeditious, it is variously employed in the fine arts, for pictorial illustrations of books, &c.; and in trade it is extremely useful for *fac simile* circulars, auctioneers' plans of estates, &c. The writing, or drawing, may be made at once, upon the stone; but, in that case, the impression will be inverted; or it may be made on what is termed autographic paper, and thence transferred to the stone; in which case the copy will be in strict accordance with the original. The processes of this art are founded, as Dr. Ure observes, in his dictionary, upon the adhesion to a smoothly-polished lime-stone, of an encaustic fat which forms the lines or traces—upon the power acquired by the parts penetrated by this encaustic, of attracting to themselves, and becoming covered with a printer's ink, having linseed oil for its basis—upon the interposition of a film of water, which prevents the adhesion of the ink in all the parts of the surface of the stone not impregnated with the encaustic—and, lastly, upon a pressure applied by the stone, such as to transfer to paper the greater part of the ink which covers the greasy tracings of the encaustic. Steel pens are employed for writing or drawing with ink on the lithographic stones; for other purposes, prepared crayons.

LIVERY. Livery of seisin is a delivery of possession of lands, tenements, and hereditaments, to one who has a right to the same.

LIVERYMEN. The liverymen of the city of London, are a number of men elected from among the freemen of each company. Out of this body, the common-council, sheriffs, and other superior officers of the government of the city, are elected.

LOCUS IN QUO. The place where any thing is alleged to be done in pleadings, &c.

LONDON, CUSTOMS OF. These customs differ from all others in point of trial ; for if the existence of the custom be brought in question, it shall not be tried by a jury, but by certificate from the Lord Mayor and aldermen, by the mouth of the recorder ; unless it be such a custom as the corporation is itself interested in, as a right of taking toll, &c., for then the law permits them not to certify on their own behalf. Amongst the customs of London, respecting trade, it may be mentioned, that if the wife of a freeman trade by herself, she may sue and be sued as a *feme sole*, in the *city courts*, on her contracts ; the husband being named only for uniformity ; and, if judgment be against them, the wife only will be liable to execution.

LUMBER. In merchant ships, stowage wood and small timber, such as spars, joists, boards, planks, shingles, hoops, staves, anchor-stocks, handspikes, &c.

MACE. One of the exterior coverings of the nutmeg. It should be chosen fresh, tough, oleaginous, of an agreeable aromatic smell, of a bright reddish yellow colour, in small pieces, and with a warm pungent taste.

MADDER. The roots of a plant (*rubia tinctorum*,) extensively used in dyeing red. The roots are kiln-dried, and then reduced to powder by a mill. Chiefly imported from France, Holland, and Turkey ; the finest madder is distinguished by a bright, lively, light colour, and without coarse particles.

MAGNA CHARTA. The great charter of English liberties, as confirmed in parliament in the 9th of Hen. 3.

MAINPRISE. The taking or receiving of a person into

friendly custody, upon security that he shall be forthcoming at the time and place required.

MAIMING. The crime of cutting and maiming is now provided against by act 1 Vict. 85. (See *Homicide*.) The old law with respect to *mayhem*, (or the violently depriving another of the use of such of his members as may render him less able in fighting, either to defend himself or annoy his adversary,) merged in the act 9 Geo. 4, c. 31, § 11 and 12, which provided remedies for injuries done to the person. But there are two sorts of maiming not included in that act, or in act 1 Vict. c. 87; viz., injuries done to individuals through wanton or furious driving, spring-guns, man-traps, &c. By act 1 Geo. 4, c. 4, these offences, if the injury prove short of death, are punishable with fine and imprisonment; if death ensue, they become either murder or manslaughter. By act 7 and 8 Geo. 4, c. 18, § 1, the setting of spring-guns, &c., calculated to destroy human life, or inflict grievous bodily harm, is a misdemeanour.

MAINTENANCE. An officious intermeddling in a suit of law, by assisting either party with money or otherwise, to prosecute or defend.

MALT. Barley, so prepared, by stopping it at the commencement of vegetation, as to render it fit for making ale or beer. (See *Ale*.) The regulations as to the manufacture of malt are embodied in the acts 7 and 8 Geo. 4, c. 52, and 11 Geo. 4, c. 17. The former, involving 83 clauses, and 106 penalties, is exceedingly complex: in the latter, many of the penalties are repealed. Malt must not be imported for home consumption, under pain of forfeiture; but it may be warehoused for exportation.

MALUM IN SE. An act in itself morally bad and unlawful.

MANDAMUS. A prerogative writ of an extensive remedial nature, issuing in the sovereign's name from the Court of King's (or Queen's) Bench, and directed to any person, corporation, or inferior court of judicature, within the realm, requiring him or them to do some particular thing therein specified.

MANDATE. A judicial commandment of the sovereign or his justices, to perform some certain act for the dispatch of justice.

MANIFEST. A document setting forth the name and tonnage of a vessel, and the name of the master and place to which the vessel belongs, and of the place or places where the goods were taken on board respectively; with a particular description of all the packages of goods on board, their sorts and different kinds, and the names of the respective shippers and consignees. No goods can be imported into this country without the production of such a manifest. See act 3 and 4 Will. 4, c. 52.

MANOR. A certain territorial domain, formerly called a barony, but now a lordship. During the Saxon government, the lord was accustomed to reside on and cultivate a part of his manor, the remainder being distributed amongst his tenants.

MANSLAUGHTER. The unlawful killing of another, without malice either expressed or implied. It may be either voluntary, upon a sudden heat, or involuntary, but in the commission of some unlawful act. The offence is felony, but the punishment, from a fine of one shilling to transportation for life, is always regulated by the circumstances of the case.

MANUFACTURES. By act 7 and 8 Geo. 4, c. 30, § 3, the maliciously cutting, breaking, destroying, &c., any goods or article of silk, woollen, linen, cotton, &c., in the progress of manufacture, is punishable by transportation for life, or for any term not less than seven years, or by imprisonment for any term not exceeding four years.

MARITIME LAW, &c. The law respecting harbours, navigation, the property of ships, the rights and duties of masters and seamen, freightage, average, salvage, &c. In consequence of the multitudinous and complex nature of the statutes relating to these subjects, many of them were repealed a few years since, and replaced by others of a more simple and intelligible character. The chief of the latter are:—for the encouragement of British shipping and navigation, act 3 and 4 Will. 4, c. 54; for the registry

of British vessels, 3 and 4 Will. 4, c. 55 ; for the regulation respecting importation and exportation, (see *Customs*,) 3 and 4 Will. 4, c. 52 ; for regulating the trade with the British colonial possessions, 3 and 4 Will. 4, c. 59. The Court of Admiralty, for taking cognizance of all offences on the high seas, of prize vessels taken in time of war, &c., is held before the Lord High Admiral of England, or his deputy, as judge of the court. This is not a court of record. From the sentence of the Admiralty judge, an appeal always lies, in ordinary course, to the King (or Queen) in Chancery. It is, however, expressly declared, by statute, that upon appeal made to the Chancery, the sentence definitive of the delegates shall be final. In cases of prize-vessels, condemned in any court of Admiralty or Vice-admiralty, as lawful prize or not, the appeal lies to certain commissioners of appeals, consisting chiefly of the Privy Council, and not to judges delegate.

MARK. In some countries, a coin; in others, a money of account. At Hamburg, &c., the Lubeck mark is equal to 14*sd.* sterling. In England, the mark is 13*s. 4d.*, or two-thirds of a pound sterling; in Scotland, the mark is two-thirds of a pound Scotch.

MARKET. See *Fairs*.

MARSHALSEA. The Court of the Marshalsea and the Palace Court at Westminster, though distinct from each other, are frequently confounded. These courts have jurisdiction to hold pleas of all sorts of personal actions, between any parties within twelve miles of Whitehall, the city of London excepted. A writ of error lies thence, to the Court of King's (or Queen's) Bench. The Marshalsea Court was instituted for the more speedy recovery of small debts. It takes cognisance of actions as low as 40*s.* Its sittings are held in Great Scotland Yard, Westminster, throughout the year. The Marshalsea prison, chiefly for debtors, is situated near St. George's church, Southwark.

MARQUE, LETTERS OF. See *Letter*.

MASTER. In the merchant-service, the person entrusted with the command and navigation of a ship. By

act 2 Geo. 2, c. 36, § 1, every master is bound to enter into an agreement in writing, with his mariners, for their wages, before he proceeds on any foreign voyage. Also to keep an account of the penalties and forfeitures due to Greenwich Hospital by the mariners' disobedience, to deduct the same from their wages, and to pay the amount to the collector of the Greenwich Hospital duty, within three months after such deduction, under penalty of forfeiting treble the amount. A master has no lien upon the ship for his wages, nor for money advanced by him for stores or repairs; the master being considered as contracting personally with the owner. He has power to hypothecate, or pawn, both ship and cargo for necessary repairs effected in foreign ports, during the course of the voyage; but he has not that power with reference to repairs effected at home. "The master," observed the late Lord Tenterden, "is the confidential servant or agent of the owners; and in conformity to the rules and maxims of the law of England, the owners are bound to the performance of every lawful contract made by him relative to the usual employment of the ship." In time of war, besides his responsibility to his owners or freighters, he may be prosecuted by the Court of Admiralty, fined to any amount not exceeding £500, and imprisoned for any term not exceeding one year, should he wilfully disobey the signals, &c., of convoy. For numerous other duties, liabilities, &c., of masters of ships, consult Lord Tenterden "On the Law of Shipping;" Chitty's "Commercial Law;" Marshall "On Insurance;" acts 43 Geo. 3, c. 160; 7 and 8 Geo. 4, c. 29; 53 Geo. 3, c. 85; 58 Geo. 3, c. 38 and 58; 9 Geo. 4, c. 31, &c.

MASTER AND SERVANT. A master is answerable for the acts of his servant, if done by his command, in all matters that are honest and lawful. Whatever a servant may be permitted to do, in the usual course of business, is equivalent to a general command. A master is not bound to give a servant a character.

MASTERS IN CHANCERY. These are either ordinary or extraordinary. Of the former there are twelve; some

of whom sit in the court every day during term, and have various matters referred to them, such as the examination of accounts, the estimation of damages, &c. They also administer oaths and receive affidavits. The Masters in Chancery Extraordinary, act in the country, where their duty is similar to that of the Masters in Ordinary in town.

MASTER OF THE ROLLS. An assistant of the Lord Chancellor, holding his office, by patent, for life. He hears and determines the causes assigned to him at his own court, in the Rolls' Yard.

MATE. The mate of a merchant-ship takes an account of all the goods received on board, and usually passes a receipt for them, previously to the bills of lading being signed. He also takes an account of the delivery of all goods from on board. He is the master's deputy.

MAYHEM. See *Maiming*.

MATURITY. Bills of exchange, or notes, when due, are said to be at their maturity.

MAXIMUM. The highest price of any article, as fixed by some law or regulation. **Minimum,** on the contrary, is the lowest price.

MAYOR'S COURTS. To the Lord Mayor and city of London belong several courts of judicature. The highest is that called the "Hustings," destined to secure the laws, rights, franchises and customs of the city, and is held weekly on Tuesdays. Two sorts of causes are here pleaded; pleas of land, and common pleas. For one week, pleas merely real are held; in the next, mixed actions are decided. Here deeds are inrolled, and recoveries passed; and writs of right, waste, partition, dower, and replevin, are determined.

The second is a *Court of Request*, or *Conscience*, (see *Conscience*,) for the recovery of small debts.

The *Lord Mayor's Court*, distinctively so called, is a court of record for actions of debt and trespass, attachments, penal actions, appeals from inferior courts, apprenticeships, &c. It is also a court of chancery, or equity, respecting affairs transacted in the city and liber-

ties; and it gives relief when judgment has been obtained in the Sheriff's Court for more than the original debt. Actions from the Sheriff's Court may be removed hither before the jury be sworn. It is held weekly, by the Recorder, in Guildhall. From its economy and expedition, this is in many respects the best court to commence a process in. Suing an action may be entered for fourpence, exclusively of stamps; and, though not proceeded upon, the action never dies. A suit may be commenced and ended here within fourteen days, for the expense of 3*s.*

The *Court of Lord Mayor and Aldermen* is a court of record, in which is lodged a great part of the executive power by which leases and other instruments that pass the city seal, are executed; contests relating to party-walls, water-courses, &c., are adjusted; and the city officers are suspended or punished, according to their respective offences. The Watermen's Company is under the jurisdiction of this court.

The *Sheriff's Courts* (of which there are two,) are also courts of record, held twice a week in Guildhall, for the trial of actions of debt, ease, trespass, covenant, attachments, sequestrations, &c. Here, the testimony of an absent witness, in writing, is held to be good evidence.

The *Ward Court*, or *Court of Wardmote*, in the city, resembles that of the *Leet* in the county.—See *Leet*.

The *Pie Poudre*, or *Pie-Poudrés Court*, (from *pedes pulverisati*, because it administers justice as quickly as dust can fall from the feet,) is incidental to every fair, as a Court Baron is to a manor. It is a court of record held in Cloth Fair, Smithfield, during the time of Bartholomew Fair, for the protection and encouragement of traders who attend the fair.

The *Chamberlain's Court* is rather an office than a court, at which the Chamberlain gives attendance to the business incidental to his office, relating to apprentices, freemen, &c.

The *Court of Orphans* is held before the Lord Mayor and Aldermen, as guardians to the children of all free-

men of London, under the age of twenty-one, at the time of their fathers' decease.

The *Court of Aldermen* is a court of record, held in Guildhall, generally on Tuesdays, excepting holidays, and in the time of gaol-delivery.

The *Court of Common Council* is held before the Lord Mayor, Aldermen, &c., at such times as the Lord Mayor may please to appoint. It is composed of two houses; the upper house consisting of the Lord Mayor and Aldermen; the lower house of a number of common councilmen, chosen by the several wards as representatives of the body of the citizens.

The *Court of Hallmote*, is a court which every city company in London holds in its public hall, for its internal government. In principle, it resembles the Saxon Court Baron.

The *Court of Conservancy* is held eight times in the year before the Lord Mayor, at such times and places as his lordship shall think fit to appoint, within the respective counties of Middlesex, Essex, Kent, and Surrey; in which counties he has a power of summoning juries, who, for the better preservation of the fishery of the river Thames, and regulation of the fishermen who fish therein, are, upon oath, to make inquisition of all offences committed in and upon the said river, from Staines Bridge in the west, to Leigh in the east.

The *Court of Gaol-delivery* is usually held thirteen times a year, in the Old Bailey, for the trial of criminals.

MEAD. Makers of mead for sale, pay £2 per annum for an excise license.

MEDIETAS LINGUE. A jury *de Medietate Lingue*, signifies a jury or inquest impanelled, of which one half are natives of our own land, and the other half are foreigners. Such a jury is never called, except where one of the parties in the plea is a foreigner, and the other a native.

MEDITERRANEAN PASS. An instrument under the hand and seal of the Lord High Admiral, or the Lords Commissioners of the Admiralty, issued as a protection

for the subjects and shipping of the British crown, against the cruisers of the Barbary States. In pursuance of certain treaties, these passes consist of a few words written on parchment, with ornaments at the top, through which a scolloped indenture is made; the scolloped tops are sent to Barbary, and being put into the possession of their cruisers, the commanders are instructed to allow all ships to pass which have passes that will fit the indented scolloped tops. These passes are granted either for one voyage, or are attached to the ship's certificate of registry, and are in force for the same term as the certificate. Each pass so issued is chargeable with a stamp duty of 40*s.* When issued in the Colonies, the passes continue in force for twelve months to colonial ships, and for one voyage to British ships supplied with them. The duty on a colonial pass is 5*s.*—*Vide* Reeves's Treatise on the Law of Shipping; act 52 Geo. 3, c. 143; and act 9 Geo. 4, c. 76.

MELIUS INQUIRENDUM. A writ for a second inquiry, where partial dealing is suspected.

MERCHANT. One who traffics in goods, either by importation or exportation; or buys or sells goods in their original packages, without breaking bulk, or who carries on business by the way of barter or exchange, or on commission; and may be reckoned in contradistinction to, though connected with, a shop-keeper, who generally deals in merchandise in smaller proportions. The custom or law of merchants is part of the common law of England; and if any doubt arise with the judges about the custom, they may send to the merchants to ascertain it.

MERCHANTMAN. A ship or vessel employed in the service of a merchant, or merchants.

MESNE PROCESS. Such process as may issue pending a suit. It is distinguished from general process, which is founded on the actual writ. Generally, also, it is put in contradistinction to final process, or process of execution. By act 1 and 2 Vict. c. 110, "arrest on mesne process is abolished, except in certain cases, viz.; when the action

against the defendant is to the amount of £20 and upwards, and there is probable cause to believe that the defendant is about to leave England. On affidavit of such facts, the judge may order the defendant to be held to bail; but, in such case, the writ must be executed within one calendar month, and not afterwards. This special order may be made, and the defendant held to bail, at any time after the commencement of the action, and before final judgment; but the defendant may, in such case of arrest, apply to the court for an order or rule on the plaintiff, to show cause why he should not be discharged out of custody."

MILE. A measure for roads, &c., varying in different countries; in England, eight furlongs, or 1760 yards.

MILL. A machine or engine, for the grinding of corn and various other substances. There are wind-mills, water-mills, steam-mills, horse-mills, &c. Water-mills are thus distinguished:—1. Overshot, where the force of the water is applied above the wheel. 2. undershot, where it is applied before the wheel; and 3, breast, when the water strikes against the middle of the wheel.

MILLED-BOARDS. A substance made from old ropes, and extensively used by bookbinders as covering for books.

MINE. A place underground, whence metals, minerals, or precious stones, are found. The richest and most celebrated gold and silver mines, are in South America; iron mines are most abundant in Russia, Sweden, &c.; copper mines are chiefly in Sweden and Denmark; lead and tin mines abound in England; quicksilver mines in Hungary and Spain; diamond mines in Golconda and Brazil; salt mines in Poland, &c. For copious practical and scientific information respecting mines, mining, mining companies, &c., consult Ure's Dictionary of Arts, Manufactures, and Mines; M'Culloch's Dictionary of Commerce, &c. There are also several mining journals published periodically.

MINOR. Any person under the age of twenty-one years.—See *Infant*.

MISDEMEANOR. An indictable offence below felony.

MISFEASANCE. In law, a trespass.

MISNOMER. The using of one name for another, by which, in law, an indictment, or any other act, may be vacated.

• **MISPRISION.** A neglect, oversight, or contempt. For instance, misprision of treason is a negligence in not revealing treason to the sovereign, &c., when it is known to have been committed.

MITTIMUS. A writ for the removal and transfer of records from one court to another. Also, a written precept, under the hand and seal of a magistrate, directed to a gaoler for the receiving and safe keeping of an offender, till he shall be delivered by law.

MOIDORE. A gold coin of Portugal, nearly equal to £1. 7s. English.—See page 64.

MOLASSES. The uncrystallisable portion of the juice of the sugar-cane. It is from this dark-coloured viscid substance, that sugar-bakers extract treacle, and a sort of sugar called bastards. Imported from the Mauritius and the West Indian colonies, for home consumption, molasses is subject to an import duty of 9s. per cwt.

MONEY. See *Coins*.

MONOPOLY. In its general sense, the act of one or more persons possessing themselves of the whole of a commodity, manufacture, &c., that a private advantage may be made of it, by selling it again at a very advanced price. Monopoly is much the same offence in other branches of trade, that engrossing is in provisions. Combinations, to raise the price of either provisions, commodities, or labour, are conspiracies by the common law, and are misdemeanours punishable at the discretion of the court. See act 40 Geo. 3, c. 106.

MORDANT. A body which, having a twofold attraction for organic fibres and colouring particles, serves as a bond of union between them, and thus gives fixity to dyes. Ure's *Dictionary of Arts, &c.*

MORTGAGE. Mortgage (from *mortuum vadum*, a dead pledge, contradistinguished from *vivum vadum*, a living pledge,) is a pawn of lands or tenements, or anything immoveable, laid or bound for money borrowed, to

be the lender's for ever, if the money be not repaid on the day agreed upon. By legal construction, however, the pledge always remains liable to the equity of redemption, unless precluded by a suit in equity. He who makes the pledge is called the *mortgagor*, and he who takes it is called the *mortgagee*. *Vivum vadum*, or living pledge, is when a man borrows a sum (suppose £500) of another, and grants him an estate, as of £50 a year, to hold till the rents and profits shall repay the sum so borrowed.

MORTMAIN. To counteract the injurious accumulation of property by the church, it was enacted, in the year 1279, "that from thenceforth, none should either give, sell, bequeath, or change any lands, tenements, or rents, to any religious body, without license from the king for that purpose." This statute was called the statute of *mortmain*, because its object was to prevent estates from falling into *dead hands*; that is, hands of no service to the king or to the public, without hopes of ever changing their owners.

MUNICIPAL LAW. A rule of civil conduct prescribed by the supreme power in a state.

MURDER. See *Homicide*.

MUSLIN. A fine, thin sort of cotton cloth, bearing a downy nap on its surface. Muslins were originally of Indian manufacture; but those of England are now nearly equal in quality, and far cheaper.

MUSTARD. A plant, of which there are seventeen species, three of which, the *sinapis alba*, *nigra*, and *arvensis*, are natives of Britain. The first, frequently cultivated as a salad herb, produces white seeds, and is used for the table sauce called mustard. The *nigra*, or common mustard, often grows naturally, but it is also cultivated in fields for its brown seed, which is more pungent than white, and is chiefly used for pickling. The *arvensis*, known as Durham mustard, grows on arable land. The "flour of mustard" is produced by grinding the seed to an impalpable powder.

NAIL. A measure of $2\frac{1}{4}$ inches in length, or $\frac{1}{6}$ of an English yard.

NAILS. Little spikes, of iron, brass, &c., (some cast, others wrought,) the chief manufacture of which is at Birmingham, Bilston, Wolverhampton, Sheffield, Dudley, Walsall, &c.

NANKIN. A cotton cloth, originally manufactured at Nankin, an ancient capital of China, from a native cotton of a brownish yellow colour. Imitation nankins are now made at Manchester to a great extent.

NATURALIZATION. By an act of naturalization, an alien is placed in exactly the same state as though he had been born in the king's (or queen's) liegance, excepting only that he is incapable of being a member of the privy council or parliament, holding offices, grants, &c. With the same exceptions, every foreign seaman, who in time of war, serves two years on board of any English ship, by virtue of the royal proclamation, is *ipso facto* naturalized; also, all foreign Protestants and Jews, upon their residing seven years in any of the American colonies; and all foreign Protestants serving two years in a military capacity there, or being three years employed in the whale fishery.

NAVIGATION. The English navigation act, defining British ships, the way in which such ships ought to be manned, their peculiar privileges, the conditions under which foreign ships should be allowed to engage in the trade of the country, either as importers, exporters, or carriers, originated in the time of Cromwell. The regulations it contained were found to be of such utility, that they were re-enacted by the first parliament that assembled after the Restoration. In the 34th of Geo. 3, an act was passed for the further encouragement of British mariners; the provisions of which act were extended to Ireland in 1802. The vast increase of our manufacturing and commercial interests, requiring numerous changes in maritime law, an act, entitled "For the Encouragement of British Shipping and Navigation," was passed, 3 and 4 Will. 4, c. 54; the said act to come into and be and continue to be in full force and operation, from and after the 1st of September, 1833. This act may be considered as constituting the basis and substance of our present mari-

time law. It should be possessed and studied by every ship-owner, master, broker, &c.

NAVY BILLS. Bills issued by the Navy board in payment of stores for ships, dock-yards, &c. They are usually made payable at ninety days after date.

NE EXEAT REGNO. A writ to restrain a person from going out of the kingdom without the sovereign's license.—See *Insolvency, Mesne Process, &c.*

NEMININE CONTRADICENTE. Usually written *nem. con.*; signifying the unanimous consent of the members of parliament, or other public body, to a vote or resolution.

NIL DEBET. A common plea to an action of debt, when the money has been paid, or is not owing.

NIL DICIT. When judgment is obtained against a defendant on his failing to put in an answer by the day appointed.

NISI PRIUS. The commission to justices of assize. It is so named from a judicial writ of *distringas*, addressed to the sheriff, and by which that officer is commanded to distrain the impanelled jury to appear before the justices at Westminster, “unless” the justices come “before” that day to such a place, &c.

NOLLE PROSEQUI. Where a plaintiff in an action at law, undertakes not to proceed further.

NON ASSUMPSIT. A plea in personal actions, (he did not assume,) whereby a man denies that he made any promise.

NON COMPOS MENTIS. One not of sound mind, memory, or understanding.

NON DAMNIFICATUS. A plea to an action of debt upon bond, conditioning to save the plaintiff harmless.

NON DECIMANDO. A custom or prescription to be discharged of all tithes.

NON DISTRINGENDO. A writ not to distrain.

NON EST FACTUM. The general action on a bond, &c., by which the defendant denies that to be his deed whereon he is impleaded.

NON EST INVENTUS. The sheriff's return to a writ

when the defendant is "not to be found" in his bailiwick or county.

NONFEASANCE. An offence of omission.

NONSUIT. A renunciation of a suit by a plaintiff, generally on the discovery of some defect or error, when the matter is so far proceeded in, that the jury are ready to deliver their verdict. A nonsuit leaves a plaintiff at liberty to commence a new action.

NON SUM INFORMATUS. A formal answer made by an attorney, that he has not been *instructed* or *informed*, &c.

NOTARY. A notary-public is a person duly appointed by license, to attest deeds and writings. He also protests and notes foreign and inland bills of exchange and promissory notes; translates documents written in foreign languages, and attests the same; enters and extends ships' protests, &c.

NOTE, PROMISSORY. A writing upon stamped paper, promising the payment of a certain sum, at a stated period.

NOTING. When a bill of exchange, or promissory note, is refused acceptance or payment, the holder, or some person employed by him, takes it to a notary, who will present it to the drawee, and again demand acceptance, or payment. If this be not complied with, the notary makes a minute in his protest-book of the answer given, and writes on the bill the initials of his name, the month, day, and year, together with his charge for making such noting; and, on a small slip of paper, the reason assigned for non-acceptance, or non-payment.

NUDUM PACTUM. A bare or naked contract, without consideration; or an agreement to sell goods, lands, &c., without any specified terms for the purchase. Such a contract is void in law, and no action will lie for the non-performance.

NUISANCE. Whatsoever is either a public or private annoyance, injury, or inconvenience. Amongst common nuisances may be mentioned the obstruction of rivers, bridges, highways, &c., by rendering them inconvenient or dangerous to pass, either by actual obstructions, or

negatively from the want of repairs. Persons so offending may be proceeded against by indictment, and are liable to fine, and also to reparation. Keeping of disorderly public-houses, gaming-houses, or houses of ill-fame, throwing of fire-works about the streets, carrying on of offensive trades and manufactories, keeping a stock of hogs in populous neighbourhoods, cities, towns, &c., are all indictable as public nuisances.

NUTMEG. The fruit of the genuine nutmeg-tree, (*myristica Moschata*), of the Moluccas, which in size and foliage resembles the pear-tree. Mace is one of the external coverings of the nutmeg. The round nutmeg is preferred to that which is oblong ; and that fruit is more particularly esteemed which is large, fresh, moist, heavy, and firm, of a lightish grey colour on the outside, and the inside beautifully marbled, whitish and bay, of a strong fragrant smell, warm, aromatic, bitter flavour, of an unctuous body, and which yields an oily juice when pricked.

NUX. *Nux vomica* is the fruit of a species of *strychnos*, about the size of an orange, and growing in various parts of the East Indies. It is virulently poisonous, is generally used medicinally, and has been suspected to form an occasional ingredient in some of the porter breweries.

OBLIGATION. A bond or deed involving a penalty, with a condition annexed for payment of money, performance of covenants, &c. The *obligor* is the party entering into an obligation ; the *obligee*, the person to whom it is entered into.

OMNIUM. A term in the money-market, designating collectively, the several parcels of stock which are transferred to the parties who lend money to government, as an equivalent for the money lent. Thus, in a loan for £36,000,000, if each subscriber of £100 money, receive in return £130. 3 per cent. reduced annuities, £10. 4 per cent. consolidated ditto, and £44. 3 per cent. consolidated ditto, the collective mass of those three parcels is called the omnium, and will be at a premium or discount, according to the state of the market.

ONUS PROBANDI. The burden of proving.

OPIUM. The concrete juice of the *papaver somniferum*, or white poppy, an annual plant, considered to be a native of Asia, but now found growing wild in various parts of Europe. Opium should be chosen moderately firm ; of a very dark brown colour, almost black ; of a strong smell and bitter taste ; as free from leaves as possible ; and, when rubbed between the fingers, neither rough nor gritty. Laudanum is a tincture of opium, made with either alcohol or water.

ORANGES. The orange tree is a native of China ; the Seville or bitter orange, no less so than the common or sweet orange, of which there are several varieties, the result of climate, &c. It was first transferred to Europe by the Portuguese. The best oranges are imported from Spain and Azores ; good ones also from Portugal, Italy, Malta, &c.

ORCHAL. The orchal, or orchilla weed, is a whitish lichen, imported from the Levant, Barbary, the Canary and Cape de Verd islands, &c. It is extensively used by dyers.

ORDINARY. In the civil law, any judge who has authority to take cognizance of causes in his own right, and not by deputation. Also, a deputy of the bishop of a diocese, originally appointed to give malefactors their neck-verses, and to judge whether they could read ; likewise to perform divine service for them.

ORIGINAL. An original writ is the beginning or foundation of a suit at law, for money due, &c. Issued from the Court of Chancery, it is a mandatory letter from the crown, on parchment, sealed with the great seal, and directed to the sheriff of the county wherein the injury has been committed, requiring him to command the party accused, either to do justice to the complainant, or to appear in court and answer the accusation against him.

OVERSEERS. Peers, members of parliament, (and their servants,) clergymen, dissenting ministers, popish priests, barristers, physicians, surgeons, apothecaries, attorneys, and other officers of the courts at Westminster, aldermen

of London and other places, prosecutors of felons to conviction, soldiers, militia-men, &c., are exempted from serving the office of overseers of the poor. The churchwardens of every parish shall be nominated early in Easter week; and such four, three, or two, substantial housekeepers as shall be thought meet, within fourteen days from the 25th day of March, under the hand and seal of two or more justices of the peace of the same county, and dwelling in or near the said parish or division, (one of whom shall be of the quorum,) shall be called overseers of the poor of the parish. Justices of the peace may appoint any person who shall be assessed to the relief of the poor in any parish, and shall be a householder, resident within two miles from the church or chapel of such parish, or, where there may be no church or chapel, shall be resident within one mile from the boundary of such parish, to be an overseer of the poor thereof, although the person so to be appointed shall not be a householder within the parish: provided that no person shall be so appointed, unless he shall have consented to it. The inhabitants of any parish may nominate and elect an assistant overseer or overseers of the poor, and may determine and specify the duties, and may fix a yearly salary for the execution of the said office; and any two justices of the peace may appoint such person or persons so nominated and elected; and every person appointed assistant overseer is authorized and empowered to execute all the duties of the office, in like manner as the same may be executed by an ordinary overseer of the poor; and the inhabitants may require and take security for the faithful execution of his or their office. If an overseer die, remove, or become insolvent, justices or head officers may put another in his stead. If the justices refuse or neglect to appoint overseers in due time, a mandamus may be had to compel them. And persons aggrieved at such appointment, are to appeal to the sessions.

OVERT ACT. An open act, capable of legal proof.

OUNCE. A small weight, (*oz.*.) one sixteenth of a pound avoirdupois, or one twelfth of a pound troy. The troy *oz.* is larger than the avoirdupois, though the avoirdupois pound is larger than the troy.

OUTLAW. One deprived of the benefit of the law, and out of the protection of the crown. *Outlawry* is the act or process by which a person is excluded from or deprived of the benefit of the law. When a person is restored to the royal protection, he is said to be *inlawed*.

OWNERS. Every registered ship-owner, must hold at least one sixty-fourth share in a vessel, and not more than thirty-two persons can be owners of any one ship at one time. All shares in vessels can only be transferred by a regular bill of sale and entry in the registry of the ship. See the registry act 3 and 4 Will. 4, c. 55.

OXALIC ACID. A crystallized salt, formerly known under the name of salt of lemons. Resembling Epsom salts in appearance, it is a deadly poison. Though found naturally in the plant called sorrel, it is most readily obtained by the action of nitric acid on sugar, hence designated saccharine acid, or acid of sugar. It is frequently used for the removal of ink or iron-mould spots from linen, for the discharge of certain colours in calico-printing, for cleansing the leather of boot-tops, &c. It requires great caution.

OYER AND TERMINER. A commission directed to the judges, &c., of the courts to which it is issued; by virtue whereof they have power to *hear* and *determine* cases of treason, felony, &c.

O YES ! A corruption of the French *oyez !* hear ye ! The words used by a public crier to enjoin silence and attention.

PACK. A quantity of goods made up in a load, or bale, for carriage.

PACKAGE. In commerce, a single lot or parcel of goods made up for exportation, &c. The duties of package, scavage, baillage, and portage, formerly payable by aliens at the port of London, on the goods imported and

exported by them, were abolished by act 3 and 4 Will. 4, c. 66 ; in conformity with which, they were purchased up by the lords of the Treasury at a compensation payment to the city of about £140,000.

PACK-DUCK. A coarse sort of linen, used for pack-cloths, &c.

PACKETS. Packets, or packet-boats, are vessels appointed by government, under certain regulations, to carry the mails of letters, packets, and expresses from one kingdom to another by sea, in the safest and most expeditious manner. (See *Postage, Post Office, &c.*) Regular lines of packets have been for some years established from New York to European ports, and also to the chief ports in the United States. The greatest intercourse is carried on with Liverpool; about twenty packets, distributed into four lines, being employed in keeping up a constant communication with that port. About twelve packets also run between New York and London, and fifteen or sixteen between New York and Havre. By these "liners," as they are called, which are all of the finest American build, the average length of a voyage from Liverpool and Portsmouth to New York, is reckoned at from thirty to thirty-four days; and, from New York to those ports, at from eighteen to twenty days. The large English steam-packets, British Queen, Great Western, &c., chiefly for passengers, usually make the passage in thirteen or fourteen days. The packets for New York sail from London on the 7th, 17th and 27th; and from Portsmouth, or Cowes, on the 1st, 10th, and 20th of each month. Those from Liverpool for New York, sail on the 1st, 8th, 16th, and 24th of each month; and those from Havre for New York, sail on the same days as those from Liverpool. For Philadelphia, packets from Liverpool sail on the 8th and 20th of every month; and four of these sail from Philadelphia, on their return to Liverpool, on the 20th of each month. An American packet sails from Liverpool to Boston twice every month; and three American packets run between New York and the Clyde.

PAGE. One side of the leaf of a book. A folio volume

contains four pages in every sheet ; a quarto (4to.) eight pages ; an octavo (8vo.) sixteen pages ; a duodecimo (12mo.) twenty-four pages, &c.—See *Books*.

PAINS AND PENALTIES. A bill of pains and penalties, is an act of parliament specially made to attaint a particular person of treason, or felony ; or to inflict punishment beyond, or contrary to, the common law then in force.

PALACE COURT. A court for the recovery of small debts, with jurisdiction similar to that of the Marshalsea, contiguous to which it is situated.—See *Marshalsea*.

PANEL. Originally a slip of parchment. To *impanel* a jury, is to enter the names of jurors, by the sheriff, on a slip of parchment.

PAPER. The history of the origin of paper, and of the progress of its manufacture through different ages and different nations, would occupy a large volume. It appears to have been first invented in China, about 1800 years ago ; to have been thence carried to Mecca in the early part of the eighth century ; afterwards to the coasts of Barbary, and into Spain. It was first made from cotton fibres in Greece, in the tenth century. It was not, however, till the beginning of the fourteenth century, that it was made from linen, in Europe. In 1390, a paper-mill was established at Nuremberg, in Germany. The first English paper-mill was erected at Dartford about the year 1588. Since that period the progress of the manufacture has been wonderful ; more especially during the present century, by the application of machinery to reduce rags, &c., into pulp, and to the conversion of pulp into paper. On the principle of Fourdrinier's patent, paper is now made of any given length and width, the same as cloth. Mr. Dickinson, of Hertfordshire, has contrived machinery by which the same effect is produced in about *three minutes*, as, in the old system of paper-making, occupied about *three weeks!* “A continuous stream of fluid pulp is, within this brief space of time, and the short distance of thirty feet, not only made into paper, but actually dried, polished, and every separate

sheet cut round the edges, and rendered completely ready for use!" By another of Mr. Dickinson's improvements, two distinct webs of paper, of different qualities, are pressed so firmly together, as to constitute only one texture. The vast utility of this, for copper-plate printing, &c., is such as to have rendered nearly unnecessary, the importation of French plate paper. Mr. Dickinson is also the inventor and patentee of the curious paper, with silken threads passed through its texture, adopted by government for the Post Office envelopes.

Paper is of various sorts, according to the purposes for which it may be intended. With regard to texture, it may be divided into laid and wove; to colours, into white, brown, blue, &c.; to use, into writing, printing, pressing, drawing, tissue, cap, cartridge, copy, chancery, post, &c.; to dimensions, into demy, medium, crown, foolscap, pot, royal, super-royal, imperial, elephant, atlas, &c.; to country, into English, French, Rochelle, German, Dutch, Lombard, Genoese, &c. We have also stained paper to hang rooms with; stamped paper to write obligations, deeds, and contracts upon; ruled paper for books of account, &c.; to which may be added, cut, gilt, watered, and embossed paper for letters, &c. Blue paper is used for wrapping up sugar-loaves, linen, &c. Coarse brown, brown, and whitened-brown, for parcels, &c. Tint, or demi-tint paper, a paper for drawing and designing on, is either blue, brown, or bistred. Bistred paper is white paper washed over with a sponge dipped in soot-water. Its use is to save the labour of the crayon in places which are to be shadowed the same depth with the tint of this paper; for light places they are made with chalk.

By act 34 Geo. 3, c. 20, § 5, manufacturers of paper must take out a license annually at the Excise Office, and make entries at the nearest office of excise, of their mills, workhouses, vats, &c., under penalty of £50. Manufacturers, and the article itself, have always laboured under great pressure from the regulations of the Excise. Authors, printers, stationers, booksellers, bookbinders, type-

founders, artists, copper-plate and lithographic printers, card-makers, paper-stainers, paper-hangers, &c., were all injured by the duties on paper; many of which were not only oppressive, but unjust, unequal, and absurd in their operation. The duties, varying as they did from 30 to 200 per cent., *ad valorem*, were exorbitant. In the year 1837, however, a partial and indeed extensive relief was obtained. The duty upon all writing and printing paper was then reduced one half, or from three-pence to three half-pence per lb., upon all paper, milled-board, paste-board, &c. At the same time, the duty upon stained paper was wholly repealed. The effect of the latter was such, as to more than double the consumption of the country; and, in the former instance, government, by the increased consumption of paper, obtained an increase instead of a diminution of the revenue. In 1840, however, £5 per cent. was added on the amount of duty.

PAPIER-MACHE. A substance made of cuttings of white or brown paper, boiled in water, and beaten in a mortar till they are reudeed into a sort of paste, and then boiled with a solution of gum arabic, or of size, to give tenacity to the paste, which is afterwards formed into tea-trays, bottle-stands, snuff-boxes, and various other articles of utility or ornament, by pressing it into oiled moulds. When dry, it is covered with a mixture of size and lamp-black, painted, and varnished, according to the taste of the artist.

PARCEL. A term applied to either large or small packages of wares, merchandise, &c.

PARCELS DELIVERY COMPANY. The London Parcels Delivery Company, whose head station is in Rolls' Buildings, Fetter Lane, make four deliveries in the metropolis daily, (Sundays excepted,) and at all places comprised within their limits, as follows:—

Morning at 9 and 12, afternoon at 3 and 6 o'clock. Parcels presented at the station, Rolls' Buildings, Fetter Lane, can be received until within five minutes of each delivery, 9, 12, 3, and 6 o'clock.

SCALE OF RATES FOR CARRIAGE.

	s.	d.
For small parcels under 3lb.....	0	4
From 3lb. , 14.....	0	6
,, 14 , 28.....	0	9
,, 28 , 56.....	1	0
,, 56 , 84.....	1	3
,, 84 , 112.....	1	6

An additional 6d. for every 28lb.

If the receivers charge under these rates, the company will be obliged to charge the difference to the account of the receiver. All wharfage and booking must be paid on parcels for the country. The London and Metropolitan Parcels Delivery Companies are agents, by appointment, to the Great Western and London and Croydon Railways. Parcels may be received and booked for all the railways and coach offices throughout the kingdom, and for Edinburgh and Ipswich, per steamer, twice a week, Tuesdays and Saturdays. The company cannot take glass or earthenware, unless packed in hampers or boxes. Parcels for all places within fifteen miles from London, can be forwarded by them to the common carriers, on payment of the booking, twopence, and half the usual charge for the company's carriage. No parcel can be received for Blackheath, Hammersmith, Kilburn, Shepherd's Bush, or Turnham Green, under 6d. In consequence of the delay attending the delivery, an additional 3d. is charged on all packages for the docks. No charge for booking. Money parcels will not be carried.

PARCENERS. Persons holding lands in co-partnership, and who may be compelled to make division.

PARCHMENT. The skin of sheep, or goats, so prepared as to render it fit for writing upon, covering books with, &c. The skins of calves, kids, dead-born lambs, &c., prepared in a similar manner, constitute vellum. In law phraseology, deeds of estates, and other writings, are termed "parchments."

PAROLE. Verbal; by word of mouth.

PARTNERSHIP. The association of two or more individuals for carrying on any particular trade or business. Partnerships may be entered into either by verbal or written agreement. The essence of partnership consists in participation in the uncertain profits or losses of a

concern. Where the premium or profit upon money advanced is defined, the advancer can be regarded as a lender only; where it is not, he is a partner. All partners, whether ostensible or dormant, are liable for partnership business; but where a contract is made exclusively upon the credit of an individual partner, it will only bind him individually. A partner, whatever his share may be, is liable for the whole debts of the firm. When a partnership is dissolved by agreement, notice thereof must be given in the London Gazette, and intimation made to all the dealers with the firm. Partnerships are dissolved by death; the surviving partners alone are liable for the partnership-habili ties and obligations.—*Vide*, Woolrich on Commercial Law; Montague and Watson on the Law of Partnership; Chitty's Commercial Law, &c.

PASS. See *Mediterranean*.

PASSAGE. The right of passage is an imposition or duty exacted by some princes, either by land or sea, in certain close and narrow places within their territories, on all vessels and carriages, and even sometimes on persons or passengers coming in or going out of ports, &c. The most remarkable passage of this kind in Europe, is the Sound, a channel between the coast of Sweden and Zealand.

PASSENGERS. Persons conveyed for hire from one place to another on board ship, by stage-coach, railway, &c. In case of imminent danger, from either the elements or enemies, passengers may be called on by the master of a ship, to give assistance for the general safety; and, if they refuse, may be punished for disobedience. Passengers, however, are not bound to remain on board, in the hour of danger, but may quit the ship if opportunity serve. Neither are they required to take upon themselves any responsibility as to the conduct of the ship; but, if they incur responsibility and render extraordinary service in relieving a ship in distress, they are entitled to a reward. The goods of passengers go to the general average.

PASSPORT. A license or writing obtained from the constituted authorities; the ambassador, envoy, &c., of a foreign government, resident where you are, granting

permission of safe conduct through the territory therein named. Intending, for instance, to visit France, the party should apply at the ambassador's office, in London, (or, in the country, at the consul's at the port of embarkation,) a day or two before setting out. On disembarking in France, your passport is demanded, to be taken to the commissary of police ; and, on paying two francs, (1s. 8d.,) a provisional one is given in its stead, which answers the purpose till you reach Paris, where the original will be returned. Special passports may also be obtained, with the signatures of all the foreign ambassadors. These entitle the possessors to travel freely all over the Continent, and never require to be renewed. A license granted by a prince, for the importation or exportation of merchandise, is also termed a passport.

PASTEBOARD. A sort of thick paper, formed of several sheets pasted together and pressed. Pasteboards are made up into parcels, each parcel to contain not fewer than twenty-four, nor more than seventy-two sheets.

PATENT. See *Letter*. See also act 5 and 6 Will. 4, c. 77.

PAWBROKER. A person who advances money upon the security of goods deposited in his hands, with power to sell them if not redeemed within a specified time. The act 39 and 40 Geo. 3, c. 99, is the chief regulating statute as to pawnbrokers. Every pawnbroker must take out a license annually ; and ten days at least before the expiration of the year, at the cost of £15 within the cities of London and Westminster, and the limits of what was the Twopenny Post ; and elsewhere £7. 10s. Goods pawned are deemed forfeited at the end of a year ; but on notice from persons having goods in pledge, three months farther must be allowed for redemption. Pawned goods can only be sold by public auction duly advertised. Pawnbrokers must not receive pledges from persons under sixteen years of age, nor from intoxicated persons. Pawnbrokers injuring goods, or selling them within the period of redemption, must make satisfaction for the same. Upon every pledge upon which there shall have

been lent not exceeding 2s. 6d., interest may be charged at the rate of a half-penny per month.

	£ s. d.	d.
If 0 5 0.....		1 per month.
0 7 6.....		1½ "
0 10 0.....		2 "
0 12 6.....		2½ "
0 15 0.....		3 "
0 17 6.....		3½ "
1 0 0.....		4 "
2 0 0 and not exceeding £2. 2s. 8		"

And for every sum exceeding 40s. and not exceeding £10, at the rate of 3d. in the pound, by the calendar month, including the current month; and so in proportion for any fractional sum.

Persons applying to redeem goods pawned within seven days after the first calendar month after the same shall have been pledged, may redeem the same without paying any thing for the first seven days; and, upon applying before the expiration of fourteen days of the second calendar month, shall be at liberty to redeem such goods, upon paying the profit payable for one calendar month and the half of another; and in all cases where the parties so entitled, and applying as aforesaid, after the expiration of the first fourteen days, and before the expiration of the second month, the pawnbroker is allowed to take the interest of the whole second month; and the same regulations and restrictions shall take place in every subsequent month. Pawnbrokers ought to be obliged (which they are not,) to insure against losses by fire.

The following are the *Rates payable for Duplicates.*

	s.	s.	d.
If under 5, gratis.			
,, 5 and under 10.....			0½
,, 10 ,, 20.....			1
,, 20 ,, £5.....			2
,, £5 and upwards			4

PAYEE. The person to whom a bill is made payable.

PAYMENT. Payment of money before the day is, in law, payment at the day.

PECK. A dry measure for grain, pulse, &c., containing two gallons, or 554.55 cubic inches.

PECULIAR. A particular parish or church, having a special jurisdiction within itself, as exempt from the bishop's court. The *Court of Peculiars* is a branch of the Court of Arches, having jurisdiction over those parishes which are exempt from the jurisdiction of the ordinary.

PEDLARS. See *Hawkers*.

PELTRY. The undressed skins of different sorts of wild animals found in high northern latitudes, such as the beaver, bear, marten, &c.

PEINE FORTE ET DURE. In ancient times, when a prisoner refused to plead, and stood mute, he received the dreadful sentence of penance, or *peine*, which was by pressing to death; the prisoner being laid on his back, and weights continually placed on his body, until he either consented to plead or died. This punishment has been some time abolished.

PENNY. Formerly a silver, now generally a copper coin, the twelfth part of a shilling. It was the first silver coin struck by our Saxon ancestors, the 240th part of their (as of our) pound, and in weight about 22½ grains troy.

PENNYWEIGHT. The twentieth part of an ounce troy, usually written *dwt*.

PENS. Instruments for writing, usually formed, until of late years, of the quills of the goose, swan, &c. Metallic pens are now manufactured in vast quantities and in many varieties of form.

PEPPER. Of the pepper genus there are more than eighty species. The black pepper of commerce, used as a table condiment, &c., is extensively cultivated in India, the Eastern Islands, &c. It should possess a pungent aromatic odour, a hot and acrid taste; and the berries should be large, firm, and sound, and with few wrinkles. By removing the outer coat of the black pepper, white pepper (thus rendered milder in quality,) is produced. Long pepper, also imported from the East, is a dried fruit,

about an inch and a half long, and of a fiery, pungent taste. By act 6 and 7 Will. 4, c. 60, the duty on pepper was reduced from 1*s.* to 6*d.* per lb.

PERCH. A measure of 16*4* feet in length.

PERJURY. Wilful false swearing in a court of justice, &c. Subornation of perjury is the procuring another to swear falsely. Punishment in either case, by fine and imprisonment, and never more to be capable of bearing testimony.

PERMIT. A license from the Excise, for persons to remove exciseable articles, denoting that the duties have been paid.

PERRY. A fermented liquor made from pears, in the same manner as cyder from apples.

PEWTER. A factitious metal, generally composed of tin alloyed with copper.

PIECE GOODS. Articles imported under this denomination, are calicoes and muslins of every description.

PIE-POUDRE. See *Mayor's Courts*.

PIERAGE. Money demanded from ship-passengers, or for the landing of goods, on an established pier.

PILCHARD. A fish much resembling the herring, but smaller, thicker, and rounder; extensively found on the coasts of Devon and Cornwall, from July to September: also in the Gulfs of Bothnia and Finland, in spring and autumn.

PILOT. Generally, a person duly qualified to take the direction of a ship's course near the sea-coast, or into or out of the roads, bays, rivers, havens, &c., within his respective district. Pilots of this description are established in several parts of the country, either by particular statutes, or ancient charters of incorporation; as those of the Trinity House, Deptford Strand; the Trinity Houses of Hull and Newcastle; the fellowship of the pilots of Dover, Deal, and the Isle of Thanet, called the Cinque Port Pilots, the Liverpool Pilots, &c. "The principle of the law with respect to pilots seems to be, that where the master is bound by act of parliament to place his ship in charge of a pilot, and does so accordingly, the ship is not

to be considered as under the management of the owners or their servants, and they are not to be liable for any damage occasioned by the mismanagement of the ship, unless it be proved that it arose from the negligence or misconduct of the master or men; but when it is in the election or discretion of the master to take a pilot or not, and he thinks fit to take one, the pilot so taken is to be considered as the servant of the owners, who are to be responsible for his conduct."—*M'Culloch's Dictionary of Commerce, &c.* See also, act 6 Geo. 4, c. 125, in which are consolidated the laws regarding the licensing, employment, &c., of pilots.

PIMENTO. Allspice, or Jamaica pepper, a well-known spice, of an aromatic, agreeable odour. The pimento tree grows spontaneously and in abundance in many parts of Jamaica. The Spanish pimento is inferior in quality.

PINT. The eighth part of a gallon: in imperial liquid measure, it contains 34.652 cubic inches.

PIPE. A wine cask, or measure, containing nominally, very nearly 105 imperial, or 126 wine gallons. Two pipes are equal to one tun. In practice, however, the pipe differs according to the description of wine it may contain. For instance, a pipe of Madeira contains 110; of Vidonia, 120; of Sherry, 130; of Lisbon and Bucellas, 140; and of Port, 138 gallons. A pipe of port, however, is seldom exactly 138 gallons, consequently, it is usual to charge by its actual contents.

PIPE OFFICE. An office belonging to the Exchequer Office, Somerset Place, wherein a person called "the clerk of the pipe," makes out leases of crown lands, by warrant from the Lord Treasurer, Commissioners of the Treasury, or Chancellor of the Exchequer.

PIRACY. Acts of robbery and violence upon the seas, which, if committed upon land, would amount to felony. To encourage the defence of merchant vessels against pirates, the commanders and seamen wounded, and the widows of such seamen as are slain in any engagement with pirates, are entitled to a bounty, to be divided among them, not exceeding the one fifteenth part of the value of

the cargo saved ; and the wounded seamen are entitled to the pension of Greenwich Hospital. *Vide* acts 11 and 12 Will. 3, c. 7, and 8 Geo. 1, c. 24. By the 6^o of Geo. 4, c. 49, it is enacted, that a bounty shall be paid to the officers and crews of such of his Majesty's ships of war, as may be engaged in the actual taking, sinking, burning, or otherwise destroying any vessel or boat manned by pirates, of £20 for each pirate taken or killed during the attack, and of £5 for every other man of the crew not taken or killed, who shall have been alive on board the said piratical vessel at the attack thereof.

PISTAREEN. The Spanish *peceta*, intrinsically worth about 10*½d.*, but which passes current at Jamaica for 1*s. 3d.*

PITCH. Tar inspissated by boiling over a slow fire.

PITCOAL. See *Coal*.

PLASTER OF PARIS. The sulphate of lime, or gypsum, after calcination.

PLATE. Persons who carry on the gold and silver plate manufactory, must take out a license yearly on the last day of July. See *Licenses*. To pass the assay offices, plate must be of the fineness of the new standard of 11 oz. 10 *dwt.*, or of the old standard of 11 oz. 2 *dwt.* The sale of any article previously to its having been assayed and marked, subjects the seller to a penalty of £50. Gold plate, excepting watch-cases, is subject to a duty of 17*s.* an ounce, and silver plate to 1*s. 6d.* an ounce; but watch-cases, tea-spoons, mountings, &c., are exempt. Formerly, to counterfeit, or to transfer from one piece of plate to another, the marks, stamps, &c., impressed on plate by the assayers, was felony without benefit of clergy; but, by act 1 Will. 4, c. 66, the punishment is now only transportation or imprisonment. The same bounty is allowed on the exportation of manufactured plate for private use, as is allowed by way of merchandise, " provided proof be adduced to the satisfaction of the commissioners of the customs, that such plate is *new plate*, and has never been used."

PLEA. A defendant's answer to a plaintiff's declaration.

PLEAS, COURT OF. See *Common Pleas*.

POCKET. In the wool trade, half a sack, or thirteen stone, of fourteen pounds to the stone. A pocket of hops is a small bag, usually containing the best hops.—See *Hops*.

POLACRE. A three-masted ship, usual in the Mediterranean, with square sails on the main-mast, and lateen (or triangular) sails on the foremast and mizen.

POLE. See *Perch*.

POLICE. That branch of administrative justice which extends to the prevention of crimes, by watching over public order, preventing breaches of the peace, removing nuisances, apprehending offenders, &c. Police courts are established in Bow Street, Covent Garden; Queen Square, Westminster; Great Marlborough Street; High Street, Mary-le-bone; Hatton Garden; Worship Street, Shoreditch; Lambeth Street, Whitechapel; at Wapping New Stairs, Wapping, in the county of Middlesex; and in Union Street, Southwark. One justice attends at each of the police offices every day, except Sunday, Christmas-day, Good Friday, or any day appointed for a public fast or thanksgiving, from ten in the forenoon till five in the afternoon, and at such other times as urgent necessity may require. The magistrates are to be attended by constables of the metropolitan police force, and their summonses and warrants are to be served and executed by such constables only. The Thames police has been superseded by the metropolitan police force. Westminster, and certain parts of the counties of Middlesex, Surrey, and Kent, and all other parishes, &c., within fifteen miles of Charing Cross, (the city of London excepted,) form the "Metropolitan Police District." The chief metropolitan police station is in Scotland Yard, Westminster. Under similar provisions, the city of London police is subject to the municipal government of the city. By act 2 and 3 Vict. c. 47, § 4, a new police office was appointed, and two justices to act therein, for the counties of Middlesex, Surrey, Hertford, Essex and Kent, Berkshire and Buckinghamshire. Any victualler or per-

son keeping a shop for the sale of liquors, allowing any of the policemen to remain in his house or shop, &c., during the time appointed for his being on duty, subjects himself to a penalty not exceeding £5, on conviction before two justices. Policemen, when on duty, may apprehend all loose, idle, and disorderly persons, disturbing the public peace, or whom he shall have just cause to suspect of evil designs; and all persons whom he shall find from sunset till eight in the morning, lying in the highway, or other place, or loitering therein, and not giving a satisfactory account of themselves; and shall deliver them to the constable at the nearest watch-house, or station house, to be there secured until they can be brought before a justice. For assaulting or resisting policemen in the execution of their duty, penalty, not exceeding £5, on conviction before two justices; or imprisonment for not more than a month. When persons charged with petty misdemeanours are brought to the watch-house in the night time, the constable may take bail by recognizance, for their appearance before a justice at ten o'clock the next day, (not being Sunday, &c.); and if they fail to appear, such recognizance may be estreated. If goods liable to forfeiture be seized by a policeman, as stolen, policeman to lodge the goods at the Custom House warehouse, and give notice thereof to the commissioners. Penalty for not doing so, £20.

PORTER. A sort of malt-liquor, made with high-dried malt.—See *Ale*.

PORTERS. Persons employed to carry parcels, messages, &c. London porters are divided into fraternities; ticket-porters, fellowship-porters, tackle-porters, company's porters, &c. *Ticket-porters*, so called from wearing a ticket at their girdle, with their name stamped thereon, must be freemen, and must give security for their honesty and fidelity. Their chief business consists in the shipping and landing of merchandise, &c. The employment of the *Fellowship-porters* is to land, ship off, carry, re-carry corn, salt, and other commodities measurable by dry measure. They are upward of 700 in number, and their governor is

the alderman of Billingsgate ward. *Tackle-porters* (superior to the Ticket-porters) are provided with weights, scales, &c., and much of their business consists in weighing goods, &c. They give bond for £500., and are privileged by the East India Company, South Sea Company, and others, for unshipping, landing, &c. Any person may bring goods into the city of London ; but no one, unless privileged, may either take up or carry within the city, under penalty of being fined.

According to act 39 Geo. 4, c. 58, the following are the maximum charges upon all parcels not exceeding 56 lbs. weight, in London, Westminster, Southwark, and the suburbs :—

	s. d.
“ For any distance not exceeding $\frac{1}{2}$ of a mile ..	0 3
Not exceeding $\frac{1}{2}$ a mile	0 4
Not exceeding 1 mile	0 6
Not exceeding $1\frac{1}{2}$ mile	0 8
Not exceeding 2 miles	0 10

“ And so in like manner the additional sum of 3d. for every further distance not exceeding half a mile.

“ Tickets to be made out at the inns, and given to the porters, who are to deliver them with the parcels ; and any inn-keeper not making out such ticket to forfeit not exceeding 40s. nor less than 5s. ; porters not delivering or defacing the same, to forfeit 40s. ; and if they make any overcharge they are to forfeit 20s. Parcels brought by coaches to be delivered within six hours under a penalty not exceeding 20s. nor less than 10s. Parcels brought by wagons to be delivered within twenty-four hours under a like penalty. Parcels directed to be left till called for, to be delivered to those to whom the same may be directed, on payment of the carriage, and 2d. for warehouse room, under like penalty. If parcels be not sent for till the expiration of a week, 1d. more for warehouse rent may be charged. Parcels not directed to be left till called for, to be delivered on demand, under the above penalty. Misbehaviour of porters may be punished by a fine not exceeding 20s. nor less than 5s.”

POSSE COMITATUS. The power of the county ; a power which embraces the aid and attendance of all men,

with the exception of ecclesiastics, &c., above the age of fifteen, within the county. This force may be employed in cases of riot or rebellion, or where any resistance happens to be made to the execution of justice.

POSTAGE, POST-OFFICE, &c. Postage is the rate or charge made upon letters or parcels conveyed by post; the post-office is the national establishment by which such letters, parcels, newspapers, &c., are conveyed. Under the system of a uniform penny postage, which came into operation in the spring of the year 1840, the privilege of franking by members of parliament, &c., was abolished. Members, however, of either House of Parliament are entitled to receive, free of charge, petitions addressed to either House of Parliament, provided they are sent without covers, or in covers open at the sides, and do not exceed the weight of six ounces. Addresses to Her Majesty also pass free. The letters of soldiers and sailors engaged in service abroad, remain unaltered, except that a soldier's or sailor's single letter is interpreted to mean a letter not exceeding half an ounce in weight. Any privileged letter &c., becoming liable to the full letter rates of postage, to be charged according to the scale established. The treble duty to which newspapers in certain cases become liable, to be calculated according to the same scale.

All letters are now charged, not according to the number of enclosures, but by weight, on every letter, as follows:

	Oz.	Oz.	Rates of Postage.
Not exceeding	$\frac{1}{2}$,	there shall be charged and taken .. .	one.
Exceeding	$\frac{1}{2}$, and not exceeding	1 .. .	two.
	1, — — —	2 .. .	four.
	2, — — —	3 .. .	six.
	3, — — —	4 .. .	eight.

And for every ounce weight above 4 ounces, two additional rates of postage; and every fraction of an ounce above four ounces is charged as one additional ounce.

No letter exceeding sixteen ounces in weight can be forwarded by the post between places within the United Kingdom —except addresses to her Majesty, parliamentary petitions,

printed votes and proceedings in parliament, letters addressed to, or despatched by, any of the Government offices or departments, and letters to and from places beyond the seas. Letters and packets exceeding sixteen ounces in weight, with the exception of those classes, instead of being forwarded to their destination, will be sent to the dead letter-office.

The scales used at the post-office are made to turn with a single grain above the half-ounce.

Deeds above the weight of sixteen ounces may be forwarded by post, if sent open, or in covers open at the sides. They may be tied up with string and sealed, to prevent inspection of their contents, though they must be open at the sides, that it may be seen they are entitled to the privilege.

Parties are requested not to enclose articles which have hard or sharp edges, or which may be of a brittle nature, in packets; and bottles containing liquid should not be transmitted through the post office.

Parties having occasion to transmit small sums in cash, are recommended to make use of the money order-office, where they will incur no risk, while those who may desire to remit bank notes, or drafts payable to bearer, are requested to cut them in half, sending each half, if possible, by two different posts. In the case of bank notes, or bank post bills, being sent, the numbers, dates, and amounts, should be carefully taken. Money orders for sums under £5. are granted by every post town upon every other post town in the United Kingdom, on application to the various offices.

There are four rates of postage:—1. Inland; 2. Colonial, by packet; 3. Foreign, by packet; and 4. ship.

1. *Inland*.—On all letters whatever passing between one part of the United Kingdom and another, (including the Channel Islands and the Isle of Man.)

	<i>oz.</i>	<i>oz.</i>	<i>Postage prepaid.</i>	<i>Postage paid on delivery.</i>
Not exceeding	1	in weight	.. 0 1	.. 0 2
Exceeding	1	and under	1 .. 0 2	.. 0 4
—	1	—	2 .. 0 4	.. 0 8
—	2	—	3 .. 0 6	.. 1 0
—	3	—	4 .. 0 8	.. 1 4
—	4	—	5 .. 0 10	.. 1 8
—	5	—	6 .. 1 0	.. 2 0
—	6	—	7 .. 1 2	.. 2 4

	<i>os.</i>		<i>os.</i>	<i>s.</i>	<i>d.</i>	<i>Postage prepaid.</i>	<i>s.</i>	<i>d.</i>	<i>Postage paid on delivery.</i>
Not exceeding	7	in weight	8	..	1 4	..	2	8	
Exceeding	8	and under	9	..	1 6	..	3	0	
	9	—	10	..	1 8	..	3	4	
	10	—	11	..	1 10	..	3	8	
	11	—	12	..	2 0	..	4	0	
	12	—	13	..	2 2	..	4	4	
	13	—	14	..	2 4	..	4	8	
	14	—	15	..	2 6	..	5	0	
	15	—	16	..	2 8	..	5	4	

2. *Colonial, by packet.*—On all letters, not exceeding half an ounce in weight, transmitted between any place within the United Kingdom, and any other of the British dominions or colonies, by packet boat, and not through France (including, however, letters to and from the East Indies by way of Falmouth and Alexandria), one uniform rate of British postage of one shilling ; and, if exceeding such weight, then progressive and additional rates of postage according to the scale of weight, and number of rates herein before contained, each additional rate being estimated at one shilling.

The rates on letters between the United Kingdom and Malta, the Ionian Islands and India, when passing through France, remain unchanged. Letters, therefore, intended to pass at the reduced single rate of a shilling between these three last-mentioned places and the United Kingdom should be addressed *via* Falmouth.—The Ionian Isles and Honduras are considered as British colonies.

3. *Foreign by packet.*—Foreign letters transmitted by packet, are liable to the single rates of packet postage from Falmouth, Dover, and London, if posted or delivered at the port. If posted or delivered at any other place in the United Kingdom, they are subject to the additional single rate of two pence as inland postage. Letters, however, between France and the United Kingdom, and also those in transit, through France, are an exception to this rule ; the British charge on such letters is the uniform single rate taken from London, except in those cases where the letters are subject to a less charge than the sum specified. This last provision also applies to letters between the United Kingdom and Belgium, the rates on which, where lower than the sum specified, are not

increased. Letters also between the United Kingdom and the United States of America, and between the United Kingdom and Spain, *via* Falmouth, form a further exception. No inland postage, therefore, is taken on such.

The single rate on all foreign and colonial letters, is accordingly as follows:—

	Packet rate from Falmouth.	Inland postage, if not posted or deliv- ered at the port.	Total single rate.
	s. d.	d.	s. d.
Between the United Kingdom and Lisbon	1 7	.. 2 ..	1 9
Spain (by Falmouth packet)	2 2	.. <i>nil</i> ..	2 2
Greece and Egypt	2 3	.. 2 ..	2 5
Madeira	1 8	.. 2 ..	1 10
Brazil	2 7	.. 2 ..	2 9
Buenos Ayres, Chili, and Peru	2 5	.. 2 ..	2 7
Hayti	1 3	.. 2 ..	1 5
La Guayra, Mexico, and Cuba	2 1	.. 2 ..	2 3
Carthagena	{ 2 1	.. 2 ..	2 3
United States	1 0	.. <i>nil</i> ..	1 0
Gibraltar			
Malta			
Ionian Islands			
British North America			
Bermuda	1 0	.. <i>nil</i> ..	1 0
Honduras			
British West Indies			
India, <i>via</i> Falmouth			
From Dover.			
Between the United Kingdom and Belgium	1 4 ..	2 ..	1 6
France		Uniform British rate to Calais of	0 10
* Switzerland, <i>via</i> France		Uniform British rate of	1 2
* Germany, <i>via</i> France		Ditto ditto....*	1 4
* Spain, Portugal, Italy, Tur- key, &c., <i>via</i> France		Ditto ditto....*	1 7
(Except in those cases where the present charge is less.)			

* These rates do not apply to letters intended to be paid to particular places of destination, which must be charged with the uniform British rate of 10d., in addition to the postage from Calais.

	Packet rate from Dover.	Inland postage, if not posted or deliv- ered at the port.	Total single rate.				
Turkey, Greece, and Medi- ter- ranean <i>via</i> Marseilles, if ad- dressed by French packet.	Uniform British and French rate of	2	8½				
India, <i>via</i> Marseilles, if ad- dressed by French packet	Ditto	ditto	3	8½			
India, by monthly closed mail, <i>via</i> Marseilles	Ditto	ditto	2	8			
Malta, Ionian Islands, and Alexandria, by monthly closed mail, <i>via</i> Marseilles	Ditto	ditto	1	8			
From London.							
Between the United Kingdom and Holland	1	4	..	2	..	1	6
Germany, Denmark, Sweden, and Russia	1	8	..	2	..	1	10
Heligoland				Uniform rate of		1	0

The single rates of postage in the above instructions are applicable only to letters not exceeding half an ounce in weight. The charge for postage on letters exceeding half an ounce will advance in proportion to their weight, in accordance with the scale. This scale, however, does not apply to French rates on letters to and from France and through France, as the old system of charging French rates on such letters continues in force, *viz.* a single French rate for each quarter of an ounce exclusive.

The scale of weight for French general post letters is as follows :—

Not exceeding $7\frac{1}{2}$ grammes, about $\frac{1}{2}$ oz. Eng.,	1	postage,
$7\frac{1}{2}$ grs. and not ex. 10 grs.	—	—
10	—	15 —
15	—	20 —
20	—	25 —

4. *Ship rate, for both colonial and foreign letters.*—On all letters transmitted by vessels not being packet boats, between the United Kingdom and any place beyond the seas (including Ceylon, the Mauritius, the Cape of Good Hope, and the East Indies), are charged for British postage the rates following ; if not exceeding half an ounce in weight, one uniform rate of eight-pence ; and if exceeding such weight, then progressive

and additional rates of postage according to the scale, charging each additional rate at eight-pence.

The postage stamps are purchasable at every post-office in London, and all licensed vendors of stamps. Stamps of two prices are issued—penny and twopenny stamps. The penny stamps are printed in black ink and the twopenny in blue ink. It must be observed, however, that the use of these stamps, whether as labels or envelopes, is perfectly optional on the part of the public. If preferred, the postage may be prepaid at the receiving houses the same as before the introduction of the stamps. Many private families, as well as tradesmen and public establishments, have adopted the system of declining to receive all letters that are not *prepaid*. Indeed, in mercantile and trading transactions, it is desirable that postage should be prepaid, even if justly chargeable to the receiver of letters; otherwise, the receiver is subjected to the onerous impost of £100. per cent. beyond the proper amount of his postage. When necessary, the prepayment may be allowed for in the settlement of accounts.

Prices of stamps.—At a post office, labels 1*d.* and 2*d.* each. Covers 1½*d.* and 2½*d.* each.

At a stamp distributor's, as above, or as follows:—

Half-ream, or 240 penny covers, £1. 2*s.* 4*d.*; penny envelopes, £1. 1*s.* 9*d.*

Quarter-ream, or 120 twopenny covers, £1. 1*s.* 4*d.*; two-penny envelopes, £1. 1*s.* 1*d.*

At the stamp offices in London, Dublin, and Edinburgh, as above, or as follows:

Two reams, or 960 penny covers, £4. 7*s.*; penny envelopes, £4. 5*s.*

One ream, or 480 twopenny covers, £4. 3*s.* 6*d.*; twopenny envelopes, £4. 2*s.* 6*d.*

Covers may be had at these prices, either in sheets, or cut ready for use. Envelopes in sheets only, and consequently not made up. No one, unless duly licensed, is authorised to sell postage stamps.

The penny stamp carries half an ounce (inland), the two-penny stamp one ounce. For weights exceeding one ounce use the proper number of labels, either alone or in combination with the stamps of the covers or envelopes.

Thus, it appears, that between the purchase of a single cover and of 960, there will be an allowance of about 14 per

cent. A single label may be bought at every post-office for 1*d.*, and a cover for 1*½d.* The price for a dozen or more covers purchased of a licensed vendor is left for competition; every body, however, having the opportunity of buying 960 penny covers for £4. 7*s.* at the chief stamp-offices, or 240 for £1. 2*s.* 4*d.* of a stamp distributor. Besides the design on the covers and envelopes, the word "postage" on an engine-turned ground, is printed on the lower fold at the back. The covers and envelopes are printed on paper manufactured by Mr. John Dickinson. The peculiarity of this paper is the insertion of lines in the woof of the paper; three red lines towards the inner, and two blue lines towards the outer side of the cover. The lines are differently placed on the envelopes; a series of lines being at either corner—each having a blue line towards the outside, between two red lines towards the inside. The labels, or adhesive stamps, are printed on water-marked paper. Each label has the water-mark of a crown; and the sheet of labels, holding 240, has the word "postage" in each of the four borders. Certain combinations of letters of the alphabet are inserted in the two corners at the lower part of the labels; and as they are varied in every one of 240 labels, the probabilities nearly amount to a certainty that no one having a less stock than 240 will have two stamps with the same lettering in his possession. These peculiarities are intended as a guarantee against forgery.

The Metropolitan chief post-office is at the general post-office, St. Martin's-le-Grand, where letters may be posted one hour later at each despatch than at the receiving houses.

There are seven deliveries and seven collections of letters in London daily.

The following are the places, within the three-mile circle, that have five deliveries and five despatches:—

Camden Town,	Kentish Town, as far as Mansfield Place,	Shacklewell, Somers Town, Vauxhall, Walworth.
Dalston,		
Hackney,		
Islington,	Kingsland,	
Kent Road (Old)	Newington Butts,	
Kennington,	Pentonville,	

Letters going from one part of the Metropolis to another.

If put into the receiving houses before		Or the principal office before		Are sent out for delivery at	
	Hours	Morning	Hours	Morning	Hours
Morning	.. 8	Morning	.. 9	Morning	.. 10
—	.. 10	—	.. 11	—	.. 12
—	.. 12	Afternoon	.. 1	Afternoon	.. 2
Afternoon	.. 2	—	.. 3	—	.. 4
—	.. 4	—	.. 5	—	.. 6
—	.. 6	—	.. 7	—	.. 8
	.. 8	—	.. 9	Next Morning	8

At the receiving house in Cornhill, at Charing Cross, in Regent Street, near Langham Place, half an hour later at each despatch than at the other receiving houses. And each delivery should be completed generally in about one hour after the despatch from the principal office, according to distance and number of letters, &c.

From London to the country.

If put into the receiving houses by		Or the principal office by		They are despatched from the latter at	
	Hours	Morning	Hours	Morning	Hours
Morning	.. 8	Morning	.. 9	Morning	.. 10
Noon	.. 12	Afternoon	.. 1	Afternoon	.. 2
Afternoon	.. 2	—	.. 3	—	.. 4
	.. 6	—	.. 7	—	.. 8

To places having but two deliveries a day, letters are sent off at the hours of 10 in the morning, and 4 or 8 in the afternoon. Such as go off at 10 are delivered at noon; those at 4 are delivered the same evening; and such as go off at 8 are for delivery early next morning. To places having only one post a day, they go off at 10, and are delivered the same day at noon. The deliveries in the country should be completed, generally, between the hours of 11 and 1; between 2 and 3 in the afternoon; between 6 and 8 in the evening; and by or about 9 in the morning.

From the country to London.—Letters put into the post in time for the morning despatch, are sent out at 12 from the principal office, for delivery in all parts of London. If put in

for the noon despatch, they are sent out for delivery at 4 o'clock. If for the afternoon despatch, they are sent out for delivery at 8 o'clock the same evening; and if put in for the night collection, they are despatched the following morning, and are sent out for delivery at 10 o'clock.

Morning mails leave the Metropolis daily, for many places, including *all* Ireland, and *all* Scotland. For all those places (with the exception of those forwarded by the Brighton mail) the letter boxes at the receiving houses are open till 7 A.M. for newspapers, and 8 A.M. for letters; and those at the branch offices, Charing Cross, Old Cavendish Street, and the Borough, for the reception of Newspapers until $\frac{1}{2}$ past 7, A. M. and for letters until 8 A. M. At the general post-office and the branch office in Lombard Street, the boxes close for newspapers at a $\frac{1}{2}$ before 8, A. M., and for letter at $\frac{1}{2}$ past 8, A. M. Mails despatched at 9, A. M.

Time at which letters and newspapers are received for despatch.

In the evening letters and parcels are received	until P.M.
At the receiving houses (without fee)	5
At Charing Cross, Old Cavendish Street, and	
266, Borough High Street	45 p. 5
Lombard Street and St. Martin's-le-Grand	6
St. Martin's-le-Grand (on payment of 1d.)	7
St. Martin's-le-Grand (on payment of 6d.)	$\frac{1}{2}$ p. 7
In the morning	until A.M.
At the receiving houses (without fee).....	8
At Charing Cross, Old Cavendish Street, and	
266, Borough High Street	8
Lombard Street and St. Martin's-le-Grand	$\frac{1}{2}$ p. 8
Letters for Brighton are received at Charing	
Cross, Cavendish Street, and Borough	9
Lombard Street, and St. Martin's-le-Grand....	$\frac{1}{2}$ bef. 10
In the evening newspapers are received	until P.M.
At the receiving houses (without fee)	5
Or bellmen (on payment of 1d.)	5 & 6
At Charing Cross, Old Cavendish Street, and 266,	
Borough High Street	$\frac{1}{2}$ p. 5
Lombard Street and St. Martin's-le-Grand.....	6
At St. Martin's-le-Grand, on payment of one half-	
penny with each.....	$\frac{1}{2}$ p. 7

In the morning newspapers are received	until A.M.
At the receiving houses (without fee)	7
Or bellmen (on payment of 1d.)	7
At Charing Cross, Old Cavendish Street, and 266, Borough High Street	½ p. 7
Lombard Street and St. Martin's-le-Grand.....	¾ p. 7
Newspapers for Brighton are received at Charing Cross, Cavendish Street, and 266, Borough ..	½ p. 8
At Lombard Street and general post office	¼ be. 10

Receipt of foreign letters.—The boxes at Lombard Street, for the receipt of foreign letters, on Tuesday and Friday nights are closed at 10 P.M. At the post office in St. Martin's-le-Grand, they are received after 10 and up to 11 P.M. on payment of a fee of 1d; and after 11, up to $\frac{1}{2}$ past 11 P.M. on payment of a fee of 6d. The box and the window are closed at Lombard Street immediately after the striking of the clock. At the chief office no letters are received at the window after the clock has struck the hours above mentioned, except on payment of the stated fees; and the window is finally closed immediately after the clock has struck $\frac{1}{2}$ past 11. P.M.

Newspapers.—Conditions to be observed in sending newspapers by post, pursuant to 1 Victoria, cap. 34, § 30.

" 1. It shall be sent without a cover, or in a cover open at the sides;—2. There shall be no words or communication printed on the paper after its publication, or upon the cover thereof, nor any writing or mark upon it, or upon the cover of it, except the name and address of the person to whom sent;—3. There shall be no paper or thing enclosed in or with any such paper or publication;—4. To be subject to such hours of posting as may be directed;—5. All foreign newspapers brought into the United Kingdom under this act, to be printed in the language of the country from which they have been forwarded."

The rates of postage chargeable on newspapers received from the colonies, and from foreign countries by packets and merchant vessels, as returned to the Select Committee on postage.

BY PACKET.	<i>d.</i>
1. From the colonies and British possessions	0
2. From France, and in transit through France, in addition to any foreign rate charged for them upon the	

British post office (except Spain, and on which no charge is made, beyond the transit rate charged by France)	d.
3. From British colonies, or any foreign country by French packet or private ship to France, in addition to any foreign rate charged on them	½
4. From foreign countries where British newspapers are not allowed to circulate free (except those in transit through France, $\frac{1}{2}$ d. British, and $\frac{1}{2}$ d. French)	2
5. From foreign countries where British newspapers circulate free)	0

BY MERCHANT VESSELS.

6. To and from the colonies	1
7. From China	2
8. From foreign countries where British newspapers circulate free	1

Newspapers published in the United Kingdom, or in the East Indies, in order to pass free by the Falmouth route, overland to India, must be marked *via* Falmouth.

Newspapers transmitted through France, are chargeable with 2d. each, and must be marked *via* Marseilles.

Newspapers transmitted by private ships to or from New South Wales, the East Indies, and other colonies, are subject to the charge of 1d. on each paper, payable in advance.

Parcels by the Mediterranean packets will be carried between Gibraltar and England in the steam vessels of the Peninsular Steam Navigation Company, and in the Mediterranean by Her Majesty's packets. Agents have been appointed by the Peninsular Steam Navigation Company, both at Gibraltar and the other ports in the Mediterranean, as well as in London and at Falmouth, for the purpose of receiving, landing, and shipping such parcels. No parcels will be received on board any of Her Majesty's packets (but passengers' baggage and personal effects) except from the agents of the Peninsular Steam Navigation Company, at each port. No package to be larger than one man can conveniently handle, or to weigh more than forty pounds. No parcel is to contain any goods or merchandise except samples. No parcel is to contain letters, bills, or money. Every parcel is to bear the name and address of the person for whose use it is intended. No more

packages will be received on board than can conveniently be stowed away in each vessel, and in no case is more than ten tons weight altogether to be received in any one of Her Majesty's packets.

POST-ENTRY. Goods having been measured, or weighed, and the merchant, having obtained an account thereof at the Custom House, finds the entry he had made too small, he must make a *post* or additional *entry* for the surplusage. To avoid the advance, as well as the trouble of getting back the overplus, a merchant should take care not to over-enter. Should he, however, have done so, and have paid or bonded more for customs than the goods really landed amount to, the land-waiter and surveyor must signify the same, upon oath made, and subscribed by the person who so over-entered, that neither he nor any other person, to his knowledge, had any of the said goods over-entered on board the said ship, or anywhere landed the same, without payment of custom; which oath must be attested by the collector and comptroller, or their deputies, who then compute the duties, and set down on the back of the certificate, first in words at length and then in figures, the several sums to be paid.

POUND. A money of account, equal to 20s. sterling. Also a weight, consisting, in troy weight, of 12 ounces; and in avoirdupois weight, of 16 ounces; 112 lbs. avoirdupois making 1 cwt.

PRATIQUE. A license for the master of a ship, to traffic in the ports of Italy, upon a certificate that the place whence he came is not suffering from any infectious disease.

PREAMBLE. The commencement of an act of parliament, constituting a key to the intention of the act, is called the preamble.

PRÆCIPÉ. In actions of covenant, debt, and detinue, the original writ is called a *præcipe*, by which the defendant has an option given him, either to do what he is required to do, or show cause to the contrary.

PRÆMUNIRE. A word giving name to a writ, and corrupted from *præmoneri*, to be forewarned. The offence

for which the writ of *præmunire* is issued, is of a nature highly criminal, though not capital. It arose from the exorbitant power claimed and exercised in England by the Pope, and was originally ranked as an offence immediately against the king; because, by the mandates and bulls of the popes, in appointing persons to fill the different ecclesiastical offices in this kingdom, it created an *imperium in imperio*, by paying that obedience to papal process, which constitutionally belonged to the king. The penalties of *præmunire* are now applied to other and different offences. So far as his civil rights may be concerned, a person convicted of *præmunire*, is out of the protection of the law; his goods and chattels are forfeited to the crown, and his body shall remain in prison at the sovereign's pleasure.

PREROGATIVE. A word comprehending all the rights which, by law, the king (or queen *regnant*) is possessed of as chief of the kingdom, and as intrusted with the execution of the laws. The *Prerogative Court* is the court in which all wills are proved, and all administrations taken, which belong to the Archbishop of Canterbury by his prerogative; and if any dispute arise between parties concerning such will or administrations, it is properly disposed of in this court.

PRESCRIPTION. Prescriptive right is that which is acquired by use and time, and allowed by law.

PRESENTMENT. A term usually signifying the notice taken by a grand jury or inquest, of any offence, &c., from their own knowledge or observation, without any bill of indictment laid before them.

PRESS. A machine for compressing any substance, and retaining it under that compression as long as may be required. Mostly with a frame-work of iron, wood not being equal to the strain of a severe pressure; common presses consist of two, or rather three stout planks; two of which, termed the "head" and "bed," are fixed, and the other (the "plattin," or "follower,") is moveable: between the "head" and the "bed," the substance to be compressed is placed, and one or more screws,

(originally wood, now chiefly of iron,) each worked by a lever, are made to act on the moveable board, so as to force it towards the immovable one, and thus produce the pressure on the interposed body. This is the general principle of the press, of which, however, there is an infinite number of modifications, each adapted to its own particular object, from the sealing of a letter to the crushing of a mass of granite. A few of the many may here be mentioned—mentioned, not described; to describe them would occupy a volume, and description could not be rendered intelligible without the aid of plates.

There are presses, the cyder press for instance, for expressing liquors, or oils, from fruit, &c. Joiners use a press for keeping close pieces of wood, which may have been glued together. Cabinet-makers and inlayers employ smaller presses upon a similar principle, and for similar purposes. Then there is the common lever-press, for coining; the coining press, differing from the balance press, as it has only one iron bar to give it motion; the impetus being given by very heavy weights attached to the ends of the bar. Bramah's simple lever press, for printing the numbers on bank notes; a press used in the woollen manufacture to press cloths, serges, rateens, &c.; the packing press, for reducing the bulk of goods in bales, &c., to facilitate stowage; the founders' press; the stearine hydraulic press, for expressing oleic acid from saponified fat, or the oleine from cocoa-nut lard, in the candle manufacture; the hydraulic press, (of which more hereafter,) extensively employed in mechanical engineering, and for a thousand other purposes; the cutting press, used by stationers, bookbinders, paste-board makers, &c.; the card-makers' cutting press; the rolling, or cylinder press, (some great improvements in which were effected by Mr. Perkins, an ingenious artist and mechanic, from America,) for copper-plate printing and other purposes.

The hydraulic, hydrostatic, or water press, for which we are indebted to Mr. Bramah, by whom it was patented some years ago, has, for many purposes, superseded the

screw press, over which it possesses immense advantages in all cases where a strong pressure is required. This press is founded upon what is termed the "hydrostatic paradox," *i. e.*, "That any quantity of water or other fluid, howsoever small, may be made to balance and support any quantity or weight, how great soever; the pressure of fluids being directly as their perpendicular heights, without any regard to their quantities." Bramah's hydrostatic press consists of a very strong frame of iron, with head, bars, and cylinder; in the last of which is inclosed the ram or piston, against which the water acts. The cylinder may be further described as a short and very strong pump barrel, with a solid piston or ram, of proportionate strength, which piston is pushed against the thing to be compressed, by water driven into the barrel beneath, from the pump. If the smaller pump have only $\frac{1}{1000}$ th of the area of the large barrel, and if a man, by means of a lever handle to the small pump, press its piston down with a force of 500 lbs., the great piston, or ram, will rise with a force of 1000 times 500 lbs., or more than 200 tons. "Nothing," observes Dr. Arnott, "can withstand the power of such a press, whether to condense materials, to raise great weights, or to tear things asunder against the most powerful resistance."

Hopkinson's Athol press, however, which takes its name from a device in one of the quarterly bearings of the Athol shield, is entitled to special notice, as the greatest improvement that has ever been effected on the common screw press. The device alluded to, is thus heraldically described: "*gules, three legs in armour, proper, garnished and spurred, or, conjoined in triangle at the upper part of the thigh.*" This is the Duke of Athol's armorial bearing for the Isle of Man, as lord thereof. In Hopkinson's press, by the addition of levers, (in the form of the Athol arms, or *legs*, if the reader please,) worm, and wheel, an increased leverage, to the length of 47 yards, or 141 feet is obtained; an increase, from which its vast power may be estimated.

We have yet to offer a few words respecting the most

important press of all, the *Printing Press*. It is remarkable that, till within the last thirty or forty years, scarcely any improvement had been effected upon the common, clumsy, wooden press, coeval with the art of printing itself, three centuries and a half ago. In the Apollo press, introduced from France, an attempt was made to print one whole side of a sheet by means of one pull instead of two; but the manual labour required was found too great, and it was in consequence abandoned. The earliest improvement of note, in construction, was achieved by Mr. Roworth; by his press, a great mechanical effect was produced by comparatively small power. However, "for the first essential modification of the old press, the world is indebted to the late Earl Stanhope. His press is formed of iron, without any wood; the table upon which the frame of types is laid, as well as the plattin or surface which immediately gives the impression, is of cast-iron, made perfectly level; the plattin being large enough to print a whole sheet at one pull. The compression is applied by a beautiful combination of levers, which give motion to the screw, cause the plattin to descend with progressively increasing force till it reaches the type, when the power approaches the maximum, upon the infinite lever principle, the power being applied to straighten an obtuse-angled jointed lever." Various improvements upon the Stanhope press, were effected by Keir, Midhurst, and others. In 1813, Ruthven, a printer in Edinburgh, introduced the principle of a moveable plattin, the frame of types remaining fixed. In 1818, Clymer's Columbian press was brought to London from Philadelphia, where it had been invented four years before. It was of iron, large and heavy, and capable of printing an immensely large sheet at a single pull; a serviceable press for provincial newspapers, &c. Barclay's and Wells's presses were also from America. Hope's, of Jedburgh, in Scotland, was an improvement of the Stanhope, combining cheapness with great power and accuracy. Cogger's press was secured from the misfortune of breaking in the main frame, an action to which the Stanhope was liable,

Napier's press, having an inking apparatus, was worked by one man, and all with the same power, but it was deficient in expedition. Treadwell's press, introduced here from America, in 1820, had great singularity of construction. Its power was obtained by a lever, or treadle, worked by the foot, instead of horizontal levers, as applied to that purpose in the Stanhope and other presses. One of the latest, and decidedly one of the most efficiently constructed presses, is the Albion press, improved by Mr. Hopkinson, of Finsbury. Of these, more than 1,500 are at this time in use amongst the trade. For power, correctness, ease in work, and freedom from accident, this press is generally approved; and a proportionate demand has been created for it in various parts of the world.

The first person who publicly projected a self-acting printing press, or machine, was Mr. Nicholson, the editor of the Philosophical Journal, as far back as the year 1790. His patent indicates the germ of the principal parts of the modern printing machines. His chief objects, however, were to impose types on a cylindrical surface, and to apply the ink upon the surface of the types, &c., by causing the surface of a cylinder smeared with the ink, to roll over them. Donkin and Bacon, and Cowper, aimed at a similar object: the former, by attaching types to the sides of a revolving prism; the latter, more successfully, by curving a stereotype plate. Donkin and Bacon's machine revolved by wheels, driven by a handle, and regulated by a fly-wheel. König's steam printing machine, was introduced to the English public by the *Times* newspaper, in the month of November, 1814. This stupendous triumph of machinery was simplified by Mr. Dryden, who, under the direction of Messrs. Applegath and Cowper, constructed two machines for Mr. Bensley, one double, the other single. The single printed from 1,500 to 1,800 sheets on one side, in an hour; the double, from 800 to 1000 sheets, on both sides, in an hour. Improvements on these machines have since been effected by Mr. Augustus Applegath, and by Mr. John Bold, of Bermondsey. There is also a "flat surface" machine, much

approved, and in use in Mr. Spottiswoode's establishment; and one lately introduced from America, and manufactured here by Rennie. Most of the London newspapers, and a considerable portion of book-work, &c., are now printed by machines, the invention of which may be justly regarded, from their wonderful rapidity of execution (in the proportion of 4000 to 500) as forming a new epoch in the typographic art.

PRICE CURRENT. A tabular account of general articles of merchandize, with lists of their prices, and the duties (if any) payable on them when exported or imported, their drawbacks, &c. In London, Liverpool, and other great commercial towns, papers of this description are usually published once or twice a week.

PRIMAGE. A certain allowance (sometimes called "hat money,") paid by the shipper or consignee of goods, to the master of a vessel, over and above his freight, for stowage, &c. In some places, the allowance is 6d. per package; in others, 1d. in the pound on the freight.

PRIMOGENITURE. The title or claim of the eldest son or brother in right of his birth.

PRINTER. One who exercises the art of printing. The term is chiefly applied to letter-press printers; but there are also copper-plate printers, lithographic and zincographic printers, calico-printers, &c.

PRINTING. The art of taking impressions from characters or figures, moveable or immovable, on paper, linen, silk, &c. There are various sorts of printing: one, from moveable letters and blocks, with engravings in wood or metal, for books, and called letter-press printing; another, from engraved copper or steel plates, for pictures, called copper-plate printing; another, from writings, drawings, &c., made upon stone, or upon plates of zinc, and called lithographic or zincographic printing. (See *Lithography*). Letter-press printing (now extensively performed by machines, worked by either hand or steam, as well as by the common printing press,) is from types cast in relief, in distinct pieces. Copper-plate printing, on the other hand, is from engravings made *en creur*, or hollow. The great

difference of principle between engravings in wood and engravings in copper or steel, is, that the former are in *relief*, the figures rising and giving the impression; the latter are *en creux*, exactly the reverse of this, the figures being sunk, to receive the ink and return it on the paper, the surface of the plate remaining smooth and clean. Impressions from engravings in wood are taken on the letter-press principle; those from metallic plates, by the plates and paper being passed through a rolling or cylinder press. Calico printing is from blocks cut upon the relief principle.

PRIVATEER. A vessel of war sent out by private parties, to assail and plunder a national enemy. To enable a privateer to commence operations, she must first obtain from the government, "letters of marque and reprisal." (See *Letter*.) The latest regulations for the government of privateers, were under an order in council on the 16th of May, 1803.

PROBATE. The proof of wills and testaments of deceased persons, before the ecclesiastical judge delegated by the bishop, who is ordinary of the place where the party may have died. A probate is usually made in the spiritual court, by granting letters testamentary to the executor, under seal of the court.

PROCESS. The mode adopted by the law to enforce compliance with the original writ; of which the first step is, to give the party notice to obey it.

PROCTOR. One who undertakes to manage another man's cause in any court of civil or ecclesiastical law. A proctor is, in the spiritual court, what an attorney is in common law.

PRO RATA. An expression used by merchants, &c., denoting "in proportion;" as, upon an adventure, each person will participate in the profit or loss, *pro rata*, to his interest.

PROTECTION. A privilege granted to certain descriptions of seamen, &c., during war.—See *Impressment*.

PROTEST. On bills of exchange, the solemn declaration of a public notary, of the dishonour of a bill, inti-

mating, that the holder intends to recover all damages which he or his principal, or any other party, may sustain, on account of the non-acceptance or non-payment. On a dishonoured foreign bill of exchange, a protest is absolutely necessary.

PROTHONOTARY. A chief clerk or officer of the Court of Common Pleas.

PROTOCOL. The first copy; usually applied to the entry of any document in the book of a notary or public officer; and which, should the document be lost, may be received as evidence of its contents.

PROVISO. A condition inserted in any deed, or other legal instrument, on the performance of which, the validity of the instrument depends.

PUBLICAN. The keeper of a house for the retailing of beer, spirits, &c. The keepers of inns, hotels, wine vaults, &c., are all deemed publicans, and must be all licensed. The chief provisions respecting the licensing, &c., of public houses, are comprised in the act 9 Geo. 4, c. 61. *Vide also*, 10 and 11 Will. 3, c. 15; 23 Geo. 2, c. 40; 39 Geo. 3, c. 79, &c.

PUISNE. All judges and barons of the law-courts, not chiefs, are styled *puisne* (junior or younger,) judges, barons, &c.

PURVIEW. That portion of an act of parliament which commences with the words "Be it enacted," &c.

QUADRANT. A mathematical instrument, used in astronomy and navigation, for taking the altitudes of the sun and stars; also for taking angles in surveying heights, distances, &c.

QUAKERS. A peaceable sect of Christians, that originated in the early part of the seventeenth century. By their rules, they are not allowed to take an oath. It was established, by act 7 and 8 Will. 3, c. 34, that the affirmation of a Quaker, in all civil causes, should be of the same force and effect as an oath; and, by 8 Geo. 1, c. 6, it was enacted, that the form of the Quaker's affirmation should be as follows:—"I, F. P. W., do solemnly, sincerely, and truly declare and affirm,"

QUAM DIU SE BENE GESSERIT. A clause expressing that the party to whom an office is granted, shall hold the same so long as he shall conduct himself properly.

QUANTUM MERUIT. So much as he deserves. If one person retain another to do any work for him, without a specific agreement for price, the law implies that the employer shall pay for the same, so much as the employed deserves for his labour; and for the recovery of this, an action on the case may be brought.

QUANTUM VALEBANT. So much as it is worth. Where goods sold, are delivered by a tradesman without a specific price, he can recover *quantum valebant*.

QUARANTINE. From the Italian *quaranta*, forty; the number of days, as formerly believed, after which no danger could be apprehended from persons or goods, arrived from countries afflicted with the plague or other infectious disease. During the "forty days," or any other given term of interdict, a process of purification, of merchandize, clothes, &c., is performed, either on board of the ship or vessel arrived from a suspected port, or in lazarettos or pest-houses on shore. Those establishments are fitted up with lodgings for the passengers and crews, where the healthy may be placed apart from the sick; also with warehouses, in which the merchandize may be deposited; intercourse between the inhabitants of the neighbourhood and the pest-house being interdicted. After purification and official inspection, the merchandize may be received into the market. The most complete lazarettos of any in Europe, are at Marseilles, Leghorn, and Genoa. The term of quarantine varies, even for ships coming from the same place, according to their bills of health, or certificates, from the authorities at the port left, at the time of clearing out. A *clean* bill denotes, that at the time the vessel sailed, there were no appearances of infectious disease; a *suspected* bill, sometimes termed a *touched* patent or bill, that there were rumours of infectious disease, but that it had not actually broken out; a *foul* bill, or the absence of clean bills, that the place was actually infected when the ship sailed. The

publication in the *London Gazette*, of any order in council relating to quarantine, is regarded as sufficient notice to all concerned. Ignorance is not admitted in excuse for any infringement of quarantine regulations. Vessels clearing out for any port or place, with respect to which there may be any order in council in force, are ordered to be supplied with an abstract of the quarantine regulations, and are to supply themselves with quarantine flags and lanterns, with instruments and materials for immersing and fumigating merchandize, &c. The whole of the existing quarantine regulations will be found embodied in the 6^o of Geo. 4, c. 78.

In law, *quarantine* is a benefit allowed to the widow of a man possessed of lands, whereby she may challenge to continue in his capital messuage or mansion-house, the same not being a castle, forty days after his decease, in order to the assignment of her dower, &c.

QUART. A measure of two pints, or one-fourth of a gallon.

QUARTER. A dry measure of eight bushels. In weight, one-fourth of a cwt., or 28 lbs.

QUARTO DIE POST. The *fourth day*, inclusive, *after* the return of a writ. If the defendant make his appearance on that day, it is sufficient; therefore it is usually called the appearance day.

QUASI CONTRACT. An implied contract.

QUASSIA. The wood and bark of a fine tall tree, native of North and South America, the East and West Indies, &c. Intensely bitter, it is employed in medicine as a stomachic. Formerly, it was frequently used in brewing, as a substitute for hops, but it is now prohibited under heavy penalties. A decoction of quassia forms a safe and excellent fly-water.

QUAY. An artificial bank to the sea or river, on which goods may be conveniently landed. Legal or sufferance quays or wharfs, are certain quays privileged for the landing of goods, although such goods may not have been released from the custody of the crown. While

on the quays, the goods are watched night and day, till the duties are paid or the goods bonded.

QUESTMEN. Persons appointed to inquire into abuses, especially such as relate to weights and measures.

QUID PRO QUO. The mutual consideration and performance of a contract by both parties.

QUITETUS. Acquitted, or freed. A *quietus est*, granted to a sheriff, will discharge him of all accounts due to the crown.

QUILLS. The strong and hard feathers of the wings of geese, ostriches, swans, turkeys, crows, &c. They are classed according to the order in which they are found in the wing; the second and third quills being the best for writing, as they have the largest, roundest, and heaviest barrels. Attention should be paid, on purchasing quills, that they may not be left-handed, that is, out of the left wing. Notwithstanding the extensive use of steel pens, large quantities of quills are annually imported from Riga, Germany, the Netherlands, &c. Their goodness is judged by the size of the barrels, but more particularly by the weight; hence the denomination of quills of 14, 15, &c., *loths*—a *loth* being equal to about half an oz.—crow-quills are chiefly used for drawing, and for lithographic and other fine writing.

QUINTAL. A continental weight of different contents; in America, 100 lbs.

QUIT-RENT. A certain small rent, payable by the tenants of manors, as an acknowledgment of right, and by which they go quit and free.

QUI TAM. Who as well. Actions brought by common informers, are termed *qui tam* actions; because, in the form in which they are conceived, the prosecutor declares that he prosecutes "*tam pro Domino Rege quam pro se ipso*," as well for our sovereign Lord the King as for himself. When information is given of offences committed against penal acts of parliament, the informer is generally entitled to one moiety of the penalty, whilst the other goes to the crown and this gives the informer a

right to sue the party offending, for his share of the penalty.

QUOD HOC. Words frequently used in law reports, &c., to denote, "as to the thing named," "the law is so," &c.

QUORUM. Certain individuals amongst persons invested with power, or jurisdiction, without whom any number of the others cannot act.—See *Justices*.

QUOTA. A tax or subscription, to be paid in an equal manner.

QUO MINUS. The designation of a common writ issued against the defendant on the plea side of the Court of Exchequer. This writ is founded upon a presumption that the plaintiff is the less able to pay the king, on account of the defendant being his debtor. On this writ the defendant may be arrested, as upon a *capias* from the Court of Common Pleas.—See *Exchequer*.

QUO WARRANTO. A writ which lies against any person or corporation, usurping any franchise or liberty against the crown; this writ calling upon the party so usurping, to come into court and establish his or their title.

RACK-RENT. The full yearly value of the house or land rented.

RAGS. Linen rags, the general basis of paper, are imported in large quantities from Hamburg, Bremen, Rostock, Ancona, Leghorn, Messina, Palermo, Trieste, &c.; from France, Spain, Portugal, Belgium, and Holland, the importation is strictly prohibited. In appearance, imported rags are coarser than English; but as they have less of the admixture of cotton, the paper made from them is firmer in texture. Woollen rags, also imported largely from the continent, are used for manure, or for unravelling and mixing up with wool for making yarn, for making flocks for bed-stuffing, &c.

RAIL-ROADS. Roads having tracks or ways formed of iron, stone, or some other solid material, on which the wheels of the carriages made to pass along them run. Iron railroads, now in extensive use for the transport of goods and passengers all over the kingdom, are of two

sorts; 1. The *flat-rail*, or tram-road, composed of cast-iron plates about 3 feet long each, 4 inches broad, and $\frac{1}{2}$ an inch or an inch in thickness, with a flaunch or turned-up edge, on the inner side, to direct the wheels of the carriage; 2. The *edge-rail*, considered superior to the former, consisting of iron plates, 3 feet long, 3 or 4 inches wide, and from 1 to 2 inches thick, joined at the ends by means of cast metal sockets fixed to the sleepers. With few exceptions, the carriages on these roads are propelled by locomotive steam engines. There is also the *atmospheric rail-road*, yet in its infancy, laid down for experiment between Shepherd's Bush and the Great Western Railway, across Wormwood Scrubs. On this road, which is asserted to combine simplicity with cheapness, safety, and velocity, beyond that of any other railroad, the carriages are made to pass, by the force of atmospheric air, acting on a vacuum and regulated by a piston. The chief advantage of rail-roads over other modes of travelling, appears to consist in their greater rapidity; the average velocity being from 25 to 30 miles an hour. On the Birmingham line, however, owing to an increased diameter of the carriage wheels, a velocity of from 40 to 50 miles an hour can at pleasure be obtained. Indeed, were it compatible with safety the speed might be yet further increased.

RAISINS. Grapes dried by the sun, or by the heat of an oven. The best are imported from the south of Europe. By act 4 and 5 Will. 4, c. 89, § 15, the duty on all raisins, without regard to difference of quality, imported from a foreign country, was reduced to 15s. a cwt.; and to 7s. 6d. per cwt. on those from British possessions.

REAL. A *real vellon* is a Spanish money of account, worth about 2 $\frac{1}{2}$ d.: a *vellon of plate* is a silver coin, varying in value from 5 $\frac{1}{2}$ d. to 6 $\frac{1}{2}$ d. See page 64.

REAM. A ream of writing paper consists of 20 quires, of 24 sheets each; a printer's ream, is 21 $\frac{1}{2}$ quires, or 516 sheets. A *bundle* is 2 printer's reams.

REBATE. An allowance in the purchase of goods for prompt payment.

RECAPTION. The taking a second distress of one for-

merly distrained, during the plea grounded on the original distress.

RECEIPT. A written acknowledgment of having received a sum of money. By 35 Geo. 3, c. 55, every note, memorandum, or writing whatsoever, given to any person on the payment of a sum of money exceeding £2., and acknowledging such payment, was liable to a stamp duty of 2d. By 3 and 4 Will. 4, c. 23, all receipts for sums under £5. were exempted from duty. The following is therefore the present scale :—

“ Receipt or discharge given for or upon the payment of money, amounting to—

£.	£	s.	d.
5 and under	10	0	3
10 ——	20	0	6
20 ——	50	1	0
50 ——	100	1	6
100 ——	200	2	6
200 ——	300	4	0
300 ——	400	5	0
500 ——	1000	7	6
1000 or upwards	10 0		
And where any sum shall be therein expressed to be received in full of all demands	10 0		

“ Penalty for giving a receipt on unstamped paper, or on a lower stamp than the proper one, £10., if for a sum under £100; if above that sum, £20. Giving receipts for less than actually paid, writing off sums, or other fraudulent contrivances, penalty £50.; but receipts may be stamped if brought within fourteen days after date, on payment of a penalty of £5. over and above the duty; and if brought within one calendar month, on payment of a penalty of £10. and the duty. Any person refusing to give a receipt upon demand, or to pay the amount of the stamp, is liable to a penalty of £10.

“ *Exemptions* :—Receipts by any soldier or sailor, or his representatives; receipts for stock-dividends and exchequer-bills; receipts for money in the hands of any banker, to be accounted for on demand; receipts upon promissory notes, bills, and orders; letters by the general post acknowledging the safe arrival of bills; receipts indorsed upon any bond,

mortgage, or security ; releases for money by deeds duly stamped ; receipts for drawbacks or bounties ; receipts given solely for the duty on insurance against fire."

RECOGNIZANCE. An obligation of record which a man enters into before some court of record, or magistrate duly authorised, with condition to do some particular act; as, to appear at the assizes, to keep the peace, pay a debt, &c.

RECORD. A remembrance or memorial. An authentic testimony, in writing, contained on rolls of parchment, and preserved in a court of record.

RECORDER. A legal officer in corporations, associated by royal grant with the mayor, aldermen, &c. His office is to advise the body corporate in legal proceedings, to preside at the trial of prisoners, &c.

RECTUS IN CURIA. The right to appear in court.

REGISTER. Ships' registers are certain legal documents obtained at the Custom House, by which vessels become entitled to all the advantages of British-built ships. It has been laid down as a rule, that a ship, to be admitted to registry, consequently to find available the advantages and privileges exclusively belonging to a British vessel, must be the property of British subjects in the United Kingdom or its dependencies ; that it must have been built in the United Kingdom, &c. ; or have been a legally condemned prize, or a vessel lawfully condemned for a violation of the slave laws, &c. *Vide* act 3 and 4 Will. 4, c. 55.

REGISTRATION. The following is an official explanatory notice respecting the registration of births, under what is termed the New Registration Act :—

" By the New Registration Act the parent of every child born after June, 1837, may obtain for it the advantage of a legal registry of its birth, without payment of any fee, provided it be registered by the registrar of the district in which the child was born, within six weeks after the birth ; but after six weeks the expense of registering it will be 7s. 6d. and after six months it cannot be registered at all.

"The new register of births is the only legal register which is evidence of the time and place of birth.

"It is of importance to all classes to be able to prove when and where they were born,—which may be done in future by means of the register of births. Such a register is especially useful for proof of pedigree, and for various legal purposes connected with the disposition of property, and for settlement of claims thereto, and also for life insurance. It is useful also in cases of apprenticeship, and admission to endowed schools and charities. There are many schools, societies, asylums, and other charitable institutions, very desirable for children of the poorer classes, for which a proof of the age is required before the child can be admitted.

"The difference between the new register of births and the church register of baptisms, and the effect of the registration act, having been much misunderstood, it is right to explain—

"That the one is not a substitute for the other, but that they are entirely different, the new register being a register only of births, the church register being a register only of baptisms;

"That registry of birth does not warrant neglect of the sacred rite of baptism, nor is the fact that the child has been baptized a sufficient reason for neglecting to register the birth."

Persons, for refusing, after request, to give information to the registrar touching the birth of a child, may be imprisoned for twelve months.

RELEASE. A release in law is of two kinds: 1. As to goods and chattels; 2. As to actions real, personal, or mixed. Every release must be of the same nature with the thing or obligation released; thus, if an agreement be in writing, the release also must be in writing. If two persons are jointly and severally bound, a release to one of the parties will discharge the other. The most effectual release that can be given, is a release of all demands, which will fully discharge all sorts of actions, rights and titles, rents, covenants, annuities; contracts, recognizances, &c.

RELOCATION. A renewal of a lease, or re-letting.

REMAINDER. An estate in remainder is an estate

limited to take effect and be enjoyed after another estate is determined.

REPLEVIN. Replevin is grounded upon a distress, and is a re-deliverance of it, that the thing distrained may remain with the first possessor, on security being given by him to try the right with the distrainer, and answer the same at law; and if he do not pursue his action, or it be adjudged against him, then he that took the distress shall have it again, by the writ *returno habendo*.

REPLEVY. A tenant's bringing a writ of replevin, where his goods are distrained for rent; which must be done within five days, or the goods will be appraised and sold.

REPORT. A paper delivered by the master of a ship from foreign ports to the Custom House, and attested upon oath, containing an account of the cargo on board.—See *Customs*, page 90.

REQUEST. Request notes are certain written notes or requests from persons amenable to the excise laws, to obtain a permit for the removal of exciseable articles.

REQUESTS, COURT OF.—See *Conscience*.

RESCOUNTER. A term used in settling mercantile accounts in the Netherlands, Germany, &c. It proceeds on the original principle of commerce, barter or exchange of commodities, without intervention of money. A term used also on the Stock Exchange, for a time-bargain.

RESPONDEAS, OR RESPONDEAT OUSTER. In law, to answer over to the merits of a cause.

RESPONDENTIA.—See *Bottomry*.

RHUBARB. Of rhubarb, the root of a plant the growth of China and Tartary, there are in commerce three varieties: the Turkey, Russian, and Chinese. The first and second are, in fact, the same article, derived from Tartary. The best pieces only are sent to the Russian market. They should be roundish in form, perforated, and of a yellow or reddish colour. The Chinese or East Indian rhubarb is in flat, oblong pieces, and seldom perforated.

RIBANDS, OR RIBBONS. Silk bands of various widths

and colours; distinguished into sarsnet, satin, gauze, China, love, &c. both plain and figured; and again into 1, 2, 3, 4, 6, 8, 10, 12, 14, 16, 18, &c. penny widths. Coventry and Spitalfields are the chief seats of the English ribbon manufacture.

RIGHTS. Heritable and moveable rights are terms used in the Scotch law to denote what in England is meant by *real* and *personal* property.

RICE. A well-known grain, the principal food of most eastern nations. Patna rice is more esteemed in Europe than any other variety from the East; but the rice from Carolina, in America, is greatly superior even to that.

RICE PAPER. A membrane of the bread fruit tree, on which the Hindoos and Chinese paint flowers, &c.

ROLLS. The Rolls office, for the custody of the rolls and records in Chancery, is in Chancery Lane, London.

ROOD. A quantity of land equal to 40 square perches, or a quarter of an acre.

ROPE.—See *Cordage*.

ROUBLE. A Russian silver coin, worth from 3*s.* 2*d.* to 3*s.* 7*½d.* English. See p. 65.

RULES. A “rule of court” is granted every day the courts at Westminster sit, to debtors confined in the Queen’s Bench or Fleet prisons, to go at large (attended by an officer) on that day. What is termed the “rules” of a prison are a certain district, outside of the walls, in which persons confined for debt are allowed to reside (but beyond which they must not go) on finding security for the governor.

RUM. A spirituous liquor, obtained by fermentation and distillation, from molasses, the refuse of the cane juice, and portions of the cane, after the sugar has been extracted. Pine-apple rum receives its denomination from slices of pine-apple thrown into the puncheons for flavour.

RUPEE. An Indian coin. The gold rupee varies from £1. 9*s.* 2*d.* to £1. 9*s.* 3*d.*; the silver rupee from 1*s.* 9*d.* to 2*s.* 2*½d.* See p. 71.

RYDER. A gold coin of the Netherlands and Belgium, worth about £1. 5*s.* 1*½d.* English. See p. 64.

SAFETY. See *Lamp*. Upton and Roberts's new patent safety-lamp is considered to be, in every point of importance and value, a great improvement on that of Sir Humphry Davy.

SAILS. Canvas sheets attached to masts and yards of ships. Foreign sails, imported by, fit and necessary for, and in the actual use of any British ship, are free from duty; otherwise, they are subject to a duty of £20. per cent. *ad valorem*.

SALE. The exchange of a commodity for money. In the sale of horses, it has been considered that, without warranty of soundness by the seller, or fraud on his part, the buyer must stand to all losses arising from latent defects. The same has been held in the sale of hops.—See *Earnest*.

SALTPETRE, or NITRE. The principal ingredient in gunpowder, and used extensively in the arts, is produced from a vegetable fixed alkali, combined with the nitrous acid, to the point of saturation, and an addition of quick-lime. The greatest quantity is imported from the East Indies, where it is obtained by a simple process from the soil of certain districts, hence called saltpetre ground. Within these few years, a new sort of saltpetre, preferred by vitriol makers, &c., has been imported from South America under the name of *nitrate of soda*.

SALVAGE. An allowance to those through whose instrumentality property is saved from the perils of the sea. Sometimes the Court of Admiralty has allowed to the extent of one moiety of the property saved; in others, not more than a tenth, according to circumstances. The crew of a ship are not entitled to salvage. Salvage is generally provided for by insurance. However, when the salvage is very high, and, consequently, the object of the voyage, in a great measure defeated, the insured, by the law of England and other maritime nations, is allowed to abandon, and to call upon the insurer as for a total loss.—See *Abandonment*.

SAMPLE. A small portion of any commodity exhibited at a public or private sale as a specimen of its quality. If an article be not equal to the sample shown of it, the

buyer may cancel the contract. The customs' minute of October 11, 1825, specifies the quantities of any ware-housed articles that may be taken out as samples.

SARDINIAS. Small fish, of the herring tribe, caught in large quantities on the coasts of Italy, France, Spain, &c. When perfectly fresh, they are excellent; and, well cured, are superior in flavour to red herrings.

SAY OR SAYE. A sort of serge or woollen stuff, used occasionally for linings, and abroad by the religious of some orders for shirts. Generally dyed green, it is also used with us for artificers' aprons.

SCANDALUM MAGNATUM. Words spoken in derogation of a peer, or a judge, or other great officer of the realm.

SCAVAGE. A toll or custom, anciently exacted by magistrates of towns corporate, of merchant strangers for wares exposed and offered for sale within their liberties.

SCHEDULE. An inventory of goods, &c.; or any scroll or parchment containing particulars left out in the main writing. Also the account or statement of his affairs, delivered by a bankrupt or insolvent to the commissioners appointed to investigate his case.

SCIRE FACIAS. A judicial writ, generally to call a man to show cause why execution of judgment passed should not be made out. This writ is granted where execution has been delayed for a year and a day after judgment given.

SCHOONER. A small vessel with two masts whose main-sail and fore-sail are suspended by gaffs, and stretched out below by booms.

SCRIPT. Loans to government are generally advanced by instalments, the first of which is deposited at the time of subscribing. Some pay their whole subscription at the time fixed for the first or second payment, having a discount allowed, and their shares immediately becoming transferable stock; but the greater part dispose of the several articles that make up the terms of the loan separately: and in this state the different sorts of stock are distin-

guished by the name of *scrip* (from *subscription*) till the whole sum shall have been paid in upon them. The value of scrip, after any given number of payments have been made thereon, may be computed, by deducting the amount of the remaining payments from the amount of the market price of the same stock.—See *Omnium*.

SCRIVENER. One who draws contracts, or whose business it is to place money at interest. Attorneys sometimes act as scriveners, which brings them within the bankrupt laws.

SEAL DAYS. Certain days set apart by the Court of Chancery, before or after term, to hear motions, &c.

SEAMEN. Men engaged in navigating ships, &c. on the high seas. A man, to enjoy the rights and privileges of a British seaman, must be a natural born subject of the crown—or have been naturalized by act of Parliament—or made a denizen by letters of denization—or have become a British subject by aiding in the conquest or cession of some hostile territory—or, if a foreigner, must have served in the royal navy, in time of war, for the term of three years. In time of war, however, the sovereign may, by proclamation, confer the privilege on such foreigners as may, during such war, have served *two* years in the royal navy. Repealing several former acts, an act (5 and 6, Will. 4., c. 19) for amending and consolidating the laws relating to merchant seamen, and for forming and maintaining a register of all the men engaged in that service, prescribes the various forms and regulations which are to be observed in hiring, paying, and discharging seamen—establishes an office for their registry—lays down the mode in which lists of crews are to be transmitted to the registrar—regulates the number of apprentices to be taken on board ship, the conditions upon which seamen may, in certain cases, be left in foreign ports, &c. A copy of this act ought to be kept in every ship, with free access to it by the crew, as an infraction of its provisions incur, in many instances, the forfeiture of heavy penalties. Moreover, it is full of important information.

By act 20 Geo. 2, c. 38, a corporation was established

for the relief and support of maimed and disabled merchant seamen, and of the widows, children, &c. of such seamen as were killed or drowned in the merchant service. The funds of this institution, however, proved inadequate to the purposes required. Under former acts, 6d. per month had been deducted from the wages of all seamen in the merchant-service, to be paid over to the trustees of Greenwich Hospital, in which, it was understood, they would be allowed to participate; but this proved grossly deceptive, as no seaman who had been exclusively employed in the merchant-service, was ever admitted into the national establishment. The 6d. a month was, therefore, discontinued, and in lieu thereof, £20,000 was ordered to be advanced from the consolidated fund to Greenwich Hospital. The act, 4 and 5 Will. 4, also repealed a portion of the act of Geo. 2, mentioned above, and re-established the corporation for the relief and support of maimed and disabled seamen, &c., on a new and enlarged basis; according to which it was estimated, that contributions to the amount of £50,000. a-year would be received. A copy of this act also ought to be kept on board of every ship in the merchant service. More recently still, auxiliary institutions have been projected for rendering easy and comfortable the declining days of British seamen.

SEARCHER. An officer of the customs, whose business it is to search and examine all ships outward bound, to see whether they have any prohibited or unaccustomed goods on board.

SEA-WORTHY. A ship is said to be sea-worthy when she is in every respect fit for her voyage. Whether expressed in the charter-party or not, a condition of seaworthiness is always implied. It is implied in the term sea-worthy, that the ship is provided with a sufficient number of hands to navigate her, and with all the documents and papers required by law. Any defect in point of sea-worthiness will invalidate an insurance upon a ship.

SECONDARIES. Generally understood to be the she-

iffs' deputies, who officiate as judges in the Sheriff's courts.

SE DEFENDENDO. A plea for one who is charged with the death of another person, by alleging that he was driven to do what he did in his own defence.

SEISIN. Possession; to be *seized* of is to be in possession. *Seisin in law* is a right to lands, though we may not have actually taken possession; *seisin in deed* is when an actual possession is taken.

SEIZURES. Officers of the army, navy, marines, or police, as well as officers of the customs or excise, are empowered to make seizures of smuggled or contraband goods, &c., and forthwith to lodge such seizures in the custody of some revenue officer, who will take an account thereof, and give a receipt for the same. Informers are not to have more than one third part of the seizing officer's share of any seizure, without previous directions from the board to that effect.

SEQUSTRATION. The separating or setting aside of a thing in controversy from the possession of two or more parties who may be contending for it. In Scotland the word *sequstration* is accordant with our *bankruptcy*.

SEQUIN, ZEQUIN, ZECCHINO. A gold coin of Italy and Turkey. The Italian sequin is worth from 9s. 4½d. to 9s. 6½d.; the Turkish from 5s. 9½d. to 6s. 11d. See pp. 68, 69, 72.

SET-OFF. A mode of defence whereby the defendant acknowledges the justice of the plaintiff's demand on the one hand, but, on the other, sets up a demand of his own to counterbalance, either wholly or in part.

SHALLOON. A slight woollen stuff; a sort of serge.

SHALLOP. From the French *chaloupe*; a light boat belonging to a ship, and particularly adapted for sailing in shoal water.

SHARES, "Wettenhall's List," published weekly, is considered the best authority for the market prices of shares, in all the joint stock companies, &c.

SHERIFF, or SHIRE-REEVE. The chief officer under the crown in every shire or county.

SHIP. A general name for a large vessel, especially if equipped with three masts and a bowsprit.

SHIPPING ORDER. A writing directed by a merchant to his lighterman, ordering him to receive and put on board a certain ship, the goods, &c., specified in the order.

SHIP'S HUSBAND. The person who takes the mercantile direction and management of a ship's concerns upon himself; the owners paying him a commission for his trouble.

SHIP'S PAPERS. Documents manifesting the property of a ship, cargo, &c.; 1. the certificate of registry, licence, charter-party, bill of health, bills of lading; 2. papers required by the law of nations to be on board of neutral ships, to sustain that character; such as the passport, muster-roll, &c. See *Marshall on Insurance*. A ship using false papers is liable to confiscation.

SHOES. The best shoes and boots are made in London; but the manufacture is carried on upon a very large scale in Northamptonshire, Staffordshire, &c.; and large supplies are also derived from Nantwich, Congleton, and Sandbach, in Cheshire.

SIGN MANUAL. The superscription of the sovereign at the top of grants, letters patent, &c.

SILK. A glossy thread or filament spun by the caterpillars or *larvæ* of the *phalæna atlas*, the *phalæna bombyx*, &c.,; the first of which yields the largest quantity, but the second is more usually reared for the purpose in Europe. Raw silk is obtained by winding off, simultaneously, several of the cocoons or balls on a common reel, by which a single thread is formed. When dry it is taken from the reel and made into hanks; and then converted into either *singles*, *tram*, or *organzine*. The first of these is formed of one of the reeled threads twisted; the second is formed of two or more threads twisted together, and is used in weaving as the shoot or weft; the third, formed of two, three, or more singles, twisted together in a contrary direction to that of the singles themselves, is organzine, or thrown silk. The silk manufacture appears to

have been introduced into England in the 15th century. According to act 3 and 4, Will. 4, c. 52, § 58, silk manufactures are not to be imported in any vessel under 70 tons burthen, except by licence of the commissioners of the customs to vessels belonging to Dover, to import such manufactures direct from Calais, though such vessels may not exceed 60 tons burthen. Silk goods, the manufacture of Europe, may not be imported except into the port of London or the port of Dublin direct from Bourdeaux, or the port of Dover direct from Calais.

SIX CLERKS. The six clerks' office is in Chancery Lane, where proceedings by bill and answer are transacted and filed, and certain patents issued. Each of the six clerks has ten sworn clerks under him, who transact the business of their superior.

SKINS. A term usually applied to the skins of sheep, goats, lambs, calves, deer, &c., which in a prepared state are used in book-binding, glove-making, &c. Lamb and kid skins are chiefly employed in the glove manufacture.

SLAVES.—See *Colonies*.

SLOOP or SMACK. A small vessel generally with one mast. Smacks are used in the coasting or fishing trade.

SMELTING. The fusion or melting of ores, to separate the metalline part from the earthy, stony, and other parts.

SMUGGLING. The importing or exporting of goods without payment of the customs or excise duties imposed by law. The regulations for the prevention of smuggling are numerous, and the penalties incurred by offenders are very severe. *Vide* act 3 and 4 Will. 4, c. 53.

SOAP. A compound of saponified fats or oils with soda or potash, prepared for various detergent purposes.

SOCAGE. A tenure of lands for certain inferior or husbandry services to be performed to the lord of the fee.

SODA. An alkaline substance employed in chemical researches, in bleaching, in the manufacture of soap, &c. The *Carbonate of Soda* is the soda of commerce either

crystallised, in lumps, or in a crude powder. Of manufactured soda, the sort originally known is barilla (see p. 32). *Soda Water* is a refrigerant and refreshing beverage, composed of water containing a very small quantity of soda, and highly charged with carbonic acid gas, which gives it a sparkling appearance, and an agreeable pungent taste. *Soda Water Powders* consist of carbonate of soda and tartaric, or citric, acid, each in powder. Put from 30 to 45 grains of the soda into one half-pint tumbler, and from 20 to 30 grains of the acid into another; pour half a glass ful of water into each, dash the acid into the alkali, and a fine effervescent draught is instantly produced.

SOLICITOR. One who in courts of equity transacts business in the same manner as an attorney does in other courts.

SOLVIT AD DIEM. A plea to an action of debt upon a bond or other instrument, alleging that the money was paid on the appointed day.

SOVEREIGN. An English gold coin worth 20s. Also an Austrian gold coin worth 29s. 6d. See p. 67.

SPECIALTY. A deed, bond, bill, or other writing, under the hand and seal of the parties.

SPIRITS. Inflammable liquors produced by distillation; as brandy, rum, hollands, whiskey, gin, &c. &c. Respecting the trade in spirits, &c., the following regulations are important:—

“ No spirits made in England, Scotland, or Ireland may be conveyed from England to Scotland or Ireland, or from Scotland or Ireland to England, otherwise than in casks containing eighty gallons at the least, and in vessels of not less than fifty tons burthen.

“ All persons whatsoever, not being licensed distillers, rectifiers or compounders, having more than eighty gallons of spirits in their possession, shall be deemed dealers in spirits, and subject to the survey of the officers of excise, and to all the regulations, penalties, &c., to which such persons are liable.

Dealers in British spirits are prohibited from selling or having in their possession any plain British spirits, except spirits of wine, of any strength exceeding the strength of 25 per cent.

above hydrometer, or of any strength below 17 per cent. under hydrometer proof; or any compounded spirits, except shrub, of any greater strength than 17 per cent. under hydrometer, under pain of forfeiting all such spirits, with the casks, &c.

" Dealers in foreign and British spirits are to keep them separate, in cellars, vaults, or other places especially entered for that purpose, under a heavy penalty; and any person mixing, selling, or sending out any British spirits mixed with foreign as colonial spirits, shall forfeit £100. for every such offence.

" No retailer of spirits, or any other person licensed or unlicensed, shall send out from his stock or custody any quantity of spirits exceeding one gallon, unless the same be accompanied by a true and lawful permit, under pain of forfeiting £200.; and every rectifier, compounder, or dealer in spirits, receiving the same into his stock, or allowing any one else to receive it, and any carrier, boatman, or other person, knowingly carrying the same, shall forfeit the sum of £200., with the boat, horse, cart, &c., used in the carriage.

" No licence to be granted for retailing spirits within gaols, houses of correction, or workhouses for parish poor; nor are spirits to be used there, except medicinally prescribed by a regular physician, surgeon, or apothecary. Penalty for a first offence of this sort committed by gaolers, &c. £100.; a second offence to be deemed a forfeiture of their office.

" Persons hawking spirits to forfeit them, and £100., and if the penalty be not immediately paid, they are to be committed to the house of correction for three months, or until paid.

" Any person is authorised to detain a hawker of spirits; and give notice to a peace officer, who is to carry the offender before a justice.

" Any officer of excise, or other person employed in the excise, taking any sum of money or other reward from, or entering into any collusive agreement with, any person, to act contrary to his duty, to forfeit £500, and be incapacitated; and any person offering such reward, or proposing such agreement, to forfeit £500." *Vide* act 6 Geo. 4, c. 80.

S P O N G E. Should be chosen as light as possible, perfectly clean, and free from stone; of as pale a colour as may be, with small holes, fine, and soft to the touch.

S Q U I L L. The bulb of the squill, or sea onion, a plant which grows spontaneously on sandy shores in the Levant,

Spain, &c., should be selected large, plump, and fresh, and full of clammy juice. Heat, drying, and long keeping are injurious to the squill.

STARCH. A well-known preparation from wheat, horse-chestnuts, the sediment of potatoes, &c. The duty of $3\frac{1}{4}d$, per lb. upon starch was abolished by act 4 and 5 Will. 4, c. 77.

STEAM. The fundamental agent for generating power of a great magnitude, by two distinct processes, opposed to each other in principle; *one* by the *elastic* or *expansive* force of steam; *the other* by its *condensation*. Engines on the former principle are termed *high pressure*, on the latter, *condensing engines*. The power of steam engines is estimated by a reference to the power of horses; and the strength of the steam by the quantum of weight which the safety-valve is capable of sustaining. This valve, loaded with a given weight, is situated on the boiler, and is forced open by the steam on its acquiring a strength beyond what is necessary. Locomotive or travelling engines, used on railroads, &c., are necessarily of the high pressure kind; as they could not carry water in sufficient quantities for the process of condensing steam. They also consume less fuel, in proportion to the work they perform,—take up less room—and, being more simple of construction, are less expensive.

Steam-carriages, to travel upon common roads, have repeatedly been constructed, with more or less success; but they have not yet been brought fully to answer the desired purpose. Steam packets, some of wood, some of iron, some of great magnitude, have, within a few years, come into general use nearly all over the civilised world.

STEARINE. Stearine, or more properly Stearic Acid, "is the solid constituent of fatty substances, as of tallow and olive oil, converted into a crystalline mass by saponification with alkaline matter, and abstraction of the alkali by an acid. By this process, fats are convertible into three acids, called stearic, margoric, and oleic; the first two being solid, and the last liquid. The stearine, of which *fictitious wax* candles are made, consists of the

stearic and margoric acids combined."—*URE's Dictionary of Arts, Manufactures, &c.*

STENCILLING. A cheap imitation of paper hangings. The figure which all the parts of a particular colour make in the design, being cut out in a piece of thin leather or oilcloth, and being spread flat upon the wall, &c. to be stencilled, is rubbed over with the colour properly tempered, by means of a large brush. The colour passing over the whole is consequently spread on those parts where the cloth or leather is cut away, giving the same effect as if hung with paper.

STEREOTYPE. A multiform solid type; a type-metal plate to print from at the letter-press. One or more pages of a book, &c., having been composed in ordinary type, having high spaces and quadrats, a cast is taken by means of plaster-of-paris in a fluid state; the cast, when dry, forms a mould for the reception of melted type metal; and thus a *fac simile* of the original page of type is obtained. These plates are economical, occupy little space, and are very serviceable for standard works; the expense of re-composition being saved, and also the outlay for large quantities of paper.

STOPPAGE. Stoppage in transitu is the right which a person who consigns goods on credit to another has of resuming the possession of those goods, before they arrive in the hands of the person (who may have become bankrupt or insolvent) to whom they are consigned; and of retaining that possession until the full price of the goods be paid. But, if the price be paid, or tendered, the consigner cannot resume; or if he has resumed, any longer retain possession, for the vendee may be insolvent; for he cannot stop the goods for money due on other accounts. A third party, as agent, may stop goods in transitu. Where the goods continue in the hands of the carrier or middle-man, a demand by the consigner has been repeatedly held to be equivalent in law to an actual stoppage of the goods.

STORES. Supplies for the accommodation and subsistence of a ship's crew and passengers. *Naval and Mili-*

tary Stores include all arms and ammunition of war; none of which may be imported, except by licence from the crown. The export of such may be prohibited by royal proclamation or an order in council.

STOVES. May be employed with safety and advantage to heat shops, warehouses, entrance-halls, &c.; but care should be taken not to vitiate the air by passing it over ignited surfaces, as is the case with many of the patent stoves in use. Dr. Arnott's is much recommended for safety, cleanliness, and comfort in warming an apartment, and for economy in the expenditure of fuel, without any noxious escape of carbonic acid gas.

STRANDING. The running of a vessel on shore, or on the beach. In policies of insurance, executed by private individuals, corn, fish, salt, fruit, flour, and seed, are warranted free from average unless general, or the ship be stranded; sugar, tobacco, hemp, flax, hides, and skins, are warranted free from average under £5. per cent.; and all other goods, also the ship and freight, are warranted free of average under £3. per cent., unless general, or the ship be stranded. The insurance companies, however, exclude the words "or the ship be stranded."

SUBORNATION. The offence of hiring persons to give false evidence.

SUBPOENA. A process issued on filing a bill in equity, commanding, under a penalty, the person therein named to appear and answer to the complaint. *A Subpæna ad Testificandum* is a writ or process issued during the progress of a cause, commanding the appearance of the person therein named to give evidence on the trial thereof.

SUCORY, or CHICORY. The prepared root of this plant resembles, in colour, dark ground coffee, and has a strong smell of liquorice. It has been improperly used as a substitute for, or to adulterate coffee.

SUFFRAGAN. One who supplies the place of a bishop in his absence.

SUGAR. Whether obtained from the cane, from beet-root, or from the maple tree, sugar is identical in its properties, when refined to the same degree of purity. The sugar-cane is successfully cultivated in the East and West

Indies, and South America; but it is from the West Indies that England receives her chief supply. Brown or muscovado sugar is the raw material whence the English sugar bakers chiefly make their loaf or refined lump sugar. Clayed sugar is that which has undergone a further clarification from the molasses by additional filtering. Refined or lump sugar is that which, entirely freed from impurities, appears perfectly white, and is sold to the public in conical loaves. By act 6 and 7 Will. 4, c. 26, the duties on East and West India sugars were equalised. The manufacture of sugar from beet-root is carried on to a considerable extent in France, and in other parts of the continent. The maple tree of Canada and the United States produces a considerable quantity of the saccharine juice, which is reduced to sugar by a process similar to that employed for the sugar cane.

SUGAR CANDY. A preparation of sugar, made by melting and crystallising it six or seven times over, to render it hard and transparent. The brown candy is from the muscovado sugar, the white from the loaf or clayed.

SULPHUR. In its pure state, native sulphur is solid, brittle, transparent, yellow, or yellow bordering on green, and, when newly broken, of a glassy lustre. It is found more or less pure in the neighbourhood of volcanoes. The sulphur which is made in England, and termed rough or roll sulphur, is obtained by the roasting of pyrites. The Sicilian sulphur, in greatest request here, is of superior quality. This substance is extensively used in medicine, in the manufacture of gunpowder, in the formation of sulphuric acid, or oil of vitriol, and for innumerable other purposes in arts, manufactures, &c.

SUPERCARGO. A person employed by merchants to go on a voyage, and oversee their cargo, and dispose of it to the best advantage.

SUPERSEDEAS. A writ, signifying in general a command to stay some ordinary proceedings at law.

SUPPLICAVIT. A writ issuing out of Chancery for taking surety of the peace where one person is in danger of bodily injury from another.

SURRENDER. A yielding up of an estate for life or years to him who has the immediate reversion or remainder, by mutual agreement; the surrender of a smaller estate, by one in possession, to him who has a larger estate on the same lands.

SUS. PER COLL. *Suspendatur per collum*, “hanged by the neck;” the signature of the judges on the calendar, written opposite a malefactor’s name left for execution.

SWEETS. Home-made wines, mead, &c. The duty of 6d. per gallon was repealed by act 4 and 5 Will. 4, c. 77.

SYNGRAPH. A deed, bond, &c. under seal of all the parties. It was customary in former times, for both debtor and creditor, in obligatory documents, to write their names, and the amount of the money borrowed, on a piece of paper, in the middle of which the word *syngraphus* was written in large letters. This being cut through, indenture-like, a portion of the paper thus divided was given to each party for his better security.

TABBY. To tabby, or water, is the passing of silks or stuffs through a calender, the rolls of which, bearing unequally on the surface, give them a wavy appearance.

TAFFETY. A slight glossy silk.

TAIL.—See Fee.

TALLOW. Tallow, the concrete fat of animals, is extensively used in the manufacture of candles and soap, in the dressing of leather, and various other processes. It is very largely imported from Russia.

TALLY. The tally-trade is a mode of dealing carried on by certain shop-keepers in the metropolis and other populous districts, by which articles of nearly all descriptions are supplied on credit; the debt to be liquidated by weekly or monthly instalments. It has been estimated that, in London alone, there are from 600 to 700 dealers, large and small, of this class; and that from £800,000. to £1,000,000. is annually returned in the trade, almost exclusively from the lower ranks of society. The system is considered to be of a highly injurious and demoralising character.

TAMMY. A sort of woollen stuff.

TAN. The bark of the oak, &c. after it has been ground and used by the tanner. Tanning is the art of converting the raw hides and skins of animals into leather.

TAPESTRY. Woven hangings, of wool and silk, frequently raised and enriched with gold and silver, representing landscapes, figures, historical subjects, &c.

TAR. A thick, black, unctuous substance, chiefly obtained from pine trees by burning them in a close smothering heat, and leaving a small aperture at the bottom of the furnace or oven for the exudation of the tar.

TARE. A deduction made from the weight of a parcel of goods for the weight of the case or package in which they are contained. *Real tare* is the actual weight of any individual package; *customary tare* is its supposed weight as usually allowed on such packages; *average tare* is the medium weight of two or three packages applied as a rule for all the rest. See *Allowance*.

TARIFF. A table or alphabetical list of the various articles of merchandise, specifying the duties, drawbacks, and bounties, charged or allowed on their exportation or importation. *Vide* acts 4 and 5, Will. 4, c. 89; 5 and 6 Will. 4, c. 32; 6 and 7 Will. 4, c. 60; and 1 and 2 Vic. c. 113.

TAWING. The act of preparing or dressing skins in white, to fit them for various manufactures, such as gloves, purses, &c.

TAXING. An attorney's or solicitor's bill of costs is usually *taxed*, or examined as to the propriety of the items, by officers appointed for the purpose. Previously to this the amount cannot be sued for.

TEA. The Tea plant bears a strong resemblance to the myrtle, as found in congenial situations in the south of Europe. It is a single species. The green and black teas, with all their diversities, are only varieties, like those of the grape, resulting from difference of climate, soil, preparation, &c.

The lowest description of black tea is called *Bohea*. It

is most generally manufactured from the refuse of congou. The word *bohea* was formerly the general term for all black teas; but it is now confined to the lowest sort. The description next above bohea is called *Congou*. This kind usually formed two-thirds of the East India Company's black tea investment, and embraced a very extensive variety of quality. *Campoi*, though not in the same estimation as congou, is manufactured with more care and expense, and is purchased at a higher price. *Souchong* varies in quality even more than congou. The larger quantity imported is of third-rate quality. There are two distinct kinds of *Pekoe*, 'flowery' and 'black leaf'; one being composed from the first buds of the shrub, and very highly valued; the other approximating closely to congou in the highest grade. The lowest description of green tea is called *Twankay*. *Hyson-skin* is the next in rank to twankay, and should be composed of the inferior leaves picked from hyson tea while in a manufacturing state. *Hyson* is the most costly species of tea imported. There are other descriptions known in this country, not imported by the East India company, but brought over by the officers of their ships. The varieties are,—of black teas, *Caper*, *Souchi*, *Tetsong*, *Padoe*, and *Orange Pekoe*; of green teas, *Young Hyson Imperial* and *Gunpowder*.

"The use of tea, as a beverage," observes Mr. Montgomery Martin, the intelligent editor of *The Colonial Magazine*, "has been known from an early period. Soliman, an Arabian merchant, who visited China A.D. 850, describes tea (*sah*) as the usual beverage of the people. Olearius, in 1633, found the use of tea pretty general among the Persians, who procured it from China. In the beginning of the seventeenth century tea was brought to Europe from China and Japan by the Portuguese and Dutch; and in 1660, by the act of 12 Car. 2, c. 23, a duty of 8d. per gallon was levied on all tea made and sold in coffee-houses in England. The Princess Catherine of Portugal, on her marriage with Charles II., made tea fashionable, by her introduction of it from the continent. In 1666 Lords Arlington and Ossory brought a quantity of tea

from Holland; its price was then sixty shillings per pound; and the East India Company, about this time, desirous of tendering a handsome offering to royalty, presented the sovereign with *twenty-two pounds of tea*. In 1668 the court of directors of the East India Company ordered their agents at the factory at Bantam in Java to send home by their ships 'one hundred pounds weight of the best *tey* (tea) they could get,' and accordingly, in 1699, the East India Company received the first invoice of tea, consisting of two canisters, containing 143½ lbs. Such was the early importation of an article, the consumption of which in the United Kingdom is now about 40,000,000 lbs. annually, yielding a yearly revenue to the state of £3,000,000, and employing a capital of more than double that amount. The progressive consumption was remarkable; in 1678, an importation of 4713 lbs. glutted the market, and the whole importation for the ensuing six years was only 318 lbs. In 1680 the East India Company first opened a direct trade with China. The consumption of tea was impeded by the high rate of duty levied in England, amounting to 200 per cent. In 1698 and 1699, the average importation was 20,000 lbs. per annum. From 1700 to 1708, it was 60,000 lbs. per annum, the price being then sixty shillings per pound. In 1721 the importation, for the first time, exceeded 1,000,000 lbs. In 1728 there was put up for sale 769,104 lbs., the duty on which amounted to £153,820. From 1732 to 1742, the average annual importation was 1,200,000 lbs; thence to 1756, 4,000,000; thence to 1766, 6,000,000; thence to 1776, 7,260,000; thence to 1786, 8,555,000; thence to 1796, 17,868,826; thence to 1800, 20,909,457 lbs. The consumption of tea has since progressively increased to 30,000,000, and now to 40,000,000 lbs. per annum. In the space of a hundred years, namely from 1710 to 1810, there were sold at the East India Company's sales in London 750,219,016 lbs. of tea, the value of which was £129,804,595 sterling. From 1800 to 1832, the quantity of tea sold by the East India Company in London was 841,408,119 lbs., and there has been paid

thereon into the British exchequer, without any cost or trouble in the collection, £104,856,858. sterling."

From the year 1667 to 1834, the last year of their charter, the East India Company enjoyed the monopoly of the tea trade. In 1689, an excise duty of 5s. per lb. was laid on tea. In 1784 Mr. Pitt reduced the duty from £119 per cent to £12 10s. In 1795 the duty was advanced to 25 per cent., and after further augmentations, in 1797, 1800, and 1803, it was increased, in 1806, to 96 per cent., *ad valorem*. Thus it continued till 1819, when it was further raised to 100 per cent. on all teas that brought more than 2s. per lb. at the East India Company's sales; those below that amount remaining at 96 per cent. In 1834, these duties ceased; and all tea imported for home consumption was subjected to a Customs' duty, as follows: "Bohea, 1s. 6d. per lb.; Congou, Twankay, Hyson-skin, Orange-pekoe, and Campoi, 2s. 2d. per lb.; Souchong, Flower-pekoe, Hyson, Young Hyson, Gunpowder, Imperial, and other teas not enumerated, 3s. per lb." The throwing open of the tea trade materially reduced the price and increased the consumption. In consequence, however, of the dissatisfaction expressed by the importers at the discriminating duties, they were abolished; and, by act 5 and 6 Will. 4, c. 32, it was enacted that, from the 1st of July, 1836, a duty of 2s. 1d. per lb. should be paid on all teas, indiscriminately, imported for home consumption in the United Kingdom.

However, a new era seems to have commenced in the tea-trade, promising, ultimately, to render us independent of China for our supplies. That the tea plant was indigenous in India, has long been known to the scientific world. Upper Assam is understood to possess all the requisite facilities for its successful cultivation. The plant is not only indigenous there, but is found through an extent of country of a month's march within the East India Company's territories, from Sudzeza to the Chinese frontier province of Yunan; the line, in fact, passing direct into the Chinese tea countries; and the "tea committee," formed under the auspices of Lord William Bentinck,

have asserted, that, "not only is it a genuine tea plant, but that no doubt can be entertained of its being the identical tea of China, and that the plant which has been brought to light will be found capable, under proper management, of being cultivated with complete success for commercial purposes." Accordingly, several Chinamen, conversant with the manufacture of both black and green teas, with Chinese manipulators, interpreters, and other assistants, have been established by the Indian government in Assam, under the superintendence of Mr. Bruce, an able, zealous, and successful officer. The first tea arrived here from Assam, in the year 1836, before the establishment above-mentioned was in existence; and since that period considerable importations have been made, and been sanctioned by the approval, as to quality, of various tea-brokers of the first character, in the London trade.

Retail dealers in tea are obliged to take out an annual licence, which costs 11s.

TEAK. The timber of the teak tree, the best in the East, is asserted to be as strong as the oak, more buoyant, and in durability more uniform and decided; demanding less seasoning, and being free from the danger of either wet or dry rot. It is particularly valuable in the construction of such parts of a ship as are under water.

TEASEL. Fullers' thistle, cultivated in the west and north of England for the use of clothiers, who employ the crooked awns of the heads, for raising the nap on woollen cloths.

TENANT. One who holds or possesses lands or tenements by any sort of title. Tenants (lodgers, &c.), stealing any chattel or fixture, let to be used in a house or lodging, are guilty of felony, and may be punished as in case of larceny.—See *Landlord and Tenant*.

TENEMENT. Usually a house or homestall; more comprehensively, any corporal inheritance held of another.

TENENDUM. That clause in a deed by which the tenure of land is created and fixed.

TENURE. The terms on which an inheritance is held.

TERMS. The times in which our courts of law are open—four in a year; the rest of the year is termed vacations. *Hilary Term* begins Jan. 23, and ends Feb. 12. *Easter Term* begins eighteen days after Easter, and ends on the Monday next after Ascension-day. *Trinity Term* begins the Friday after Trinity Sunday, and ends on the Wednesday fortnight after. *Michaelmas Term* begins Nov. 6, and ends Dec. 5.

TESTATUM. A clause inserted in a writ that lies where a defendant cannot be arrested where the action is laid; in which case the writ is sent into another county where he is thought to be.

THROWSTER. One whose business it is to prepare raw silk for the weaver.

TICK or TICKING. A strong blue and white striped texture, of either flax or hemp, for beds, mattresses, &c. It is occasionally imported from Germany.

TIDE-WAITERS or TIDES-MEN. Inferior officers of the customs and excise. Vessels bound for London are boarded by these officers off Gravesend; and they remain with the ship, if in the river, until all her customizable commodities are unladen, or until she is safely placed in one of the appropriate docks.

TIERCE. A liquid measure, equal to forty-two gallons.

TIFFANY. A sort of transparent silk gauze, stiffened with gum and pressed.

TIMBER. Any large tree squared, or capable of being squared, and suitable for the purposes of house and ship-building. At the custom house, when a tree has been sawn into thin pieces, not more than seven inches in width, it is termed batten; when the pieces are wider, they are called deals. The following are the contents of different sorts of timber, hewn and unhewn.

A load of timber, unhewn,	40 cubic feet
.. squared timber,	50 cubic feet
.. 1-inch plank,	600 square feet
.. 1½-inch plank,	400 ..
.. 2-inch plank,	240 ..

A load of 2½-inch plank, 300 square feet.

..	3-inch plank,	200	..
..	3½-inch plank,	170	..
..	4-inch plank,	150	..

The importation of foreign timber is clogged with very heavy duties ; timber from Canada, though considered to be inferior in quality to that from the Baltic, is favoured, as the growth of our own possessions.

TIN. A fine white metal, known from the earliest times, and mentioned by Moses. In Europe it is found abundantly in Saxony, Bohemia, and Cornwall ; in Asia, in Malacca, and in the island of Banca, eastward of Sumatra. Small quantities are obtained also in Galicia, some parts of France, Mexico and Chili, Massachusetts in the United States, China, &c. The Malay countries, however, are considered to be the richest tin district in the world. In ancient times, the Phœnicians carried on an extensive trade in tin with Spain and Britain. Tin is found in a native or pure state, though more frequently mixed with arsenic, sulphur, and iron. The crude ore is first broken to pieces and washed, then roasted in an intense heat, which dissipates the arsenic, and afterwards fused in a furnace till reduced to a metallic state. Tin readily unites with copper, forming the compositions known by the names of bronze and bell-metal. By immersing thin plates of iron into melted tin, they become coated, and are then termed latten ; which is manufactured into canisters, culinary utensils, &c. The share of the lord of the manor on whose land a mine is opened is called "his dish," and is generally one sixth or one eighth part free of cost. The tin having been prepared for melting it is carried to the melting works, and delivered to the melter, who is paid for the labour and expense of the process by receiving about eight parts out of twenty of the quantity melted. Here it is assayed, to determine its quality ; then fined, and run into moulds of an oblong form. When cooled, these masses were taken out of the moulds, and (under the name of *blocks of tin*) were carried to one of the coinage towns—Liskeard, Lestwithiel, Truro,

Helston, or Penzance—to be coined or authenticated by the officers of the Duke of Cornwall. The duty secured to the Duke for this authentication was £4. per ton ; which, with other incidental charges, superadded, rendered the expense not less than £5. per ton. However, by act 1 and 2 Victoria, c. 120, these oppressive regulations were abolished ; and it was provided, that compensation should be made to the Duchy of Cornwall, by settling on its possessors a perpetual annuity equal to the nett average amount of the duties during the ten years ending with 1837. Also that the duties on tin ore, and foreign tin, should be reduced to 10s. and 15s. a hundred weight respectively. Tin may be laminated into foil less than the thousandth part of an inch in thickness. *Tin-foil* thus produced, and coated with quicksilver, constitutes the reflecting surface of looking-glasses, &c. *Nitrate of Tin* forms the basis of the scarlet dye in wool, and of many other bright colours. Compounded with gold, tin imparts beautiful purple and crimson colours to stained glass, or artificial gems, &c. *Tin-glass* is one of the names of bismuth.

TIPSTAFF. An officer appointed by the marshal of the court of King's (or Queen's) Bench to attend upon the Judges, and whose ensign of office is a staff tipped with silver. Persons committed by the Judges at their chambers are taken into custody by a tipstaff.

TIRE-SMITH. One who manufactures the iron-work for coaches.

TISSUE. Cloth interwoven with gold or silver, or figured colours.

TITHING-MEN. Petty constables.

TITLE. The means by which the owner of lands, &c., has the just possession of his property.

TOBACCO. The *nicotiana tabacum*, the dried leaves of which constitute our tobacco, is a plant indigenous to America ; but it is also extensively cultivated in many other parts of the world. It was first observed by the Spaniards at Tabasco or Tabaco, a province of Yucatan, in Mexico. M. Nicot, the French ambassador to Portugal, in 1560, received some of the leaves of this plant from a Flemish

merchant. On his arrival at Lisbon, he showed them to the grand vizier; and, when he returned to France, to Catherine de Medicis. It thus received its name of *Nicotiana* from the botanists. Sir Francis Drake is said to have first imported tobacco into England from Virginia, in 1586; but other authorities assert, that it was cultivated in this country before the year 1570, and that it was smoked by Sir Walter Raleigh and his companions, in pipes, so early as the year 1584. Most of the tobaccos of our shops are mixtures of various growths; but by those who manufacture it from the leaf, it is usually distinguished as short-cut, shag, roll, or carrot tobacco. The plant is extensively cultivated in France, in the Levant, and in India; also in Mexico, but only for home consumption. The climate of Ireland is favourable to the growth of tobacco, but it is prohibited there, as injurious to the revenue. Our supplies are chiefly derived from Virginia and Maryland. Cuba is celebrated for its tobacco, especially its cigars. (See *Cigars.*) The duty upon tobacco is 3*s.* per lb.; consequently, as the price in bond is only 3*d.* to 6*d.*, the duty amounts to 600 per cent. on the superior and to 1200 per cent. on the inferior qualities. The enormousness of the duty naturally operates as a powerful incentive to smuggling. The subjoined regulations regarding the importation of tobacco are from M'Culloch's Dictionary of Commerce, and may be regarded as official.

"Tobacco is not to be imported in a vessel of less than 120 tons burthen; nor unless in hogsheads, casks, chests, or cases, containing at least 100 lbs. nett weight, if from the East Indies; or 450 lbs. if from any other place; or 100 lbs. if cigars; except tobacco from Turkey, which may be packed in separate bags or packages, provided the outward package be a hogshead, cask, chest, or case, containing 450 lbs. nett at least; and except Guatemala and Colombian tobacco, which may be imported in packages of not less than 90 lbs. Tobacco is not allowed to be imported except into the following ports; viz. London, Liverpool, Bristol, Lancaster, Cowes, Falmouth, Whitehaven, Hull, Glasgow, Port Glasgow, Greenock, Leith, Newcastle, Plymouth, Belfast, Cork, Drogheda, Dublin, Limerick, Galway, Londonderry, Newry, Sligo, Waterford, and

Wexford. A rent of four shillings is charged upon every hogshead, cask, chest, or case of tobacco, warehoused in every warehouse provided by the crown ; 2s. being paid immediately upon depositing the tobacco in the warehouse, and 2s. more before the tobacco is taken out for home consumption, or exportation—it may remain for *five* years without any additional charge, for rent. No abatement is made from the tobacco duties on account of damage; but the merchant may, if he choose, abandon the tobacco, which is to be destroyed. The allowance of duty free tobacco for each sailor on board the royal navy, and for each soldier on foreign service, is fixed at two pounds per lunar month. Tobacco that has been exported cannot be re-imported, without being subject to the same duty as if it were imported for the first time. Tobacco cannot be entered for exportation in any vessel of less than 70 tons burthen. When tobacco is re-shipped for exportation, an allowance is made for shrinkage, from the seller to the buyer, of 30 lbs. per hogshead on Virginia and Kentucky, and 15 lbs per hogshead on Maryland, on the landing weights; the draft of the former 8 lbs. and of the latter 4 lbs., with a tret on all sorts of 4 lbs. per 104 lbs."

Tobacco is the general basis of snuff; but as fashion constantly varies with respect to the pungency, flavour, &c. of the latter, other ingredients are frequently added. Considerable quantities of snuff made in Scotland and Ireland, are brought into this country. Dealers in tobacco and snuff are obliged to have a five-shillings annual licence; also to enter their premises, and have their names legibly displayed over their doors, or on some other conspicuous part of the house, under a penalty of £50. Adulteration of snuff incurs a penalty of £100. and forfeiture of the article. No quantity of snuff weighing more than two pounds may be removed by either land or water without a permit. *Vide* act 29 Geo. 3, c. 68; and act 1 and 2 Geo. 4, c. 109.

TOBACCO-PIPES are made of a fine grained plastic white clay, chiefly found in the isle of Purbeck and Dorsetshire. The clay is worked with water into a thin paste; the water is afterwards allowed to evaporate; and then the pipes are formed, dried, and baked in a kiln. The

finest pipes are made in Natolia, in Turkey, out of meerchaum, a somewhat plastic magnesian stone, having a soft greasy feel. The stone is softened with water, and then formed into pipes, which must be baked in a kiln.

TOD. A tod of wool is equal to 28 lbs. or $\frac{1}{4}$ cwt.

TODDY. An extract from the cocoa-nut tree. Drunk before sun-rise, it is cool, refreshing, and wholesome; afterwards fermentation occurs, and it is highly intoxicating.

TON. Twenty cwt., or 2240 lbs.

TONNAGE. The admeasurement of a ship, by which she pays the tonnage duty; or her actual capacity for stowage, and thence denominated her burthen. Inaccuracies having frequently arisen in the old mode of estimating the tonnage of shipping, new and specific rules were prescribed by the Registry Act, 3 and 4 Will. 4, c. 53, § 16 and 17. The new mode for ascertaining tonnage applies to vessels whether laden or unladen, to steam-vessels, &c. It was enacted that the true amount of the register tonnage of every British vessel, thus ascertained, should be cut in figures of at least 3 inches in length, on the main beam, previously to her being registered. As the tonnage of goods and stores is sometimes taken by measurement and sometimes by weight, that method was allowed to the vessel which gave the most tonnage. In tonnage by weight, 20 cwt. make a ton. In tonnage by measurement, 40 cubic feet are considered equal to a ton. Carriages and other stores measured by the tonnage, must be taken to pieces, and packed so as to occupy the smallest space. All ordnance, muskets, cartridges in barrels or boxes, ammunition in boxes, &c. are taken in tonnage at their actual weight. Some new and additional regulations, respecting tonnage, &c. came into operation upon and from the 1st of January, 1836, agreeably to Acts 5 and 6 Will. 4, c. 56.

TONTINE. A loan raised in life annuities, with benefit of survivorship. As the members die their shares are divided amongst those who survive, and thus the longest liver enjoys the whole. At his death it reverts to the payee

of the annuity. Some tontines are raised by subscription amongst a given number of members; in which case, the longest liver has the final disposal of the whole.

TOOLS. With certain exceptions, tools and machines employed in manufactures may not be exported under penalty of fine and imprisonment.

TORTOISE-SHELL. The shell of the testaceous animal called a tortoise; extensively used for inlaying, for snuff-boxes, combs, &c. The best is thick, clear, and transparent, sprinkled with brown and white. The finest tortoise-shell is obtained from the Spice Islands and New Guinea, &c.

TOTIES QUOTIES. So often as a thing shall happen.

TOUCH-NEEDLES. Touch-needles and touch-stone are instruments employed by assayers for ascertainin the quality of gold trinkets, &c.

Tow. Flax or hemp beaten or combined into a filamentous substance.

Toys. Children's toys are very largely imported from Holland, &c., under an *ad valorem* duty of 20 per cent.

TRANKEYS. Boats employed in the Persian Gulf, in the transhipment of cargoes.

TRANSIRE. A custom house warrant, giving free passage for goods to a place named therein.

TREASON. Thus defined by act 25 Edw. 3.—1. High treason against the king and queen's person; 2. treason in levying war against the king in his realm; 3. Adhering to his enemies within the realm, or aiding them elsewhere; 4. Violating or deflowering the queen, or the queen's eldest daughter, or the king's eldest son's wife; 5. Counterfeiting the king's great or privy seal; and, 6. Slaying the judges in the execution of their office. In the intimation that, "where any one doth compass or imagine the death of our lord the king, of our lady his queen, or their eldest son and heir," it is held, that a queen regnant is included, but not her husband. Even a usurper, who may have got possession of the throne, comes within the meaning of the act; for allegiance is due to him also for his temporary protection of the public rights. All sub-

jects are excused from any penalty or forfeiture who assist and obey the king *de facto*. The punishment of high treason is death. Counterfeiting the coin of the realm was treason until the act of 2 Will. 4. reduced it to felony; punishable with transportation for life, or by imprisonment for not more than four years.

Petty Treason (where a servant killed his master, a wife her husband, or an ecclesiastic his superior,) was an offence second only to high treason, punishable with greater severity than murder; but, by alterations in the criminal code, the distinctions between petty treason and murder have been abolished.

TREASURE TROVE. When money, &c. is found hidden in the earth (not lying on the surface) and no one knows to whom it belongs, the property thereof belongs to the king, or to the lord of the manor by special grant or prescription.

TRESPASS. The unwarrantable entering upon another man's premises; any breach of the law under treason, felony, or misprision of either.

TRET. An allowance made for waste, or for dirt that may be mixed up with any commodity. See *Tare*.

TRINITY. The Deptford Trinity House Society, for the promotion of commerce and navigation, by licensing and regulating pilots, ordering and erecting beacons, light-houses, (See *Light-House*,) buoys, &c. was incorporated by Henry VIII. in the year 1515; but it appears to have been in existence long previously to that period. Its privileges have since been confirmed and extended; and its government is now vested in a master, 4 wardens, 8 assistants, 31 elder brethren, and an unlimited number of younger brethren. The Ballast Office, for cleansing and deepening the Thames, belongs to this society. Exclusively of its control over pilots and pilotage, the Trinity House Society has the chartered right of examining the mathematical scholars of Christ's Hospital, and the masters of the royal navy—granting licenses to poor seamen to row upon the river Thames—preventing aliens from serving in British ships without license—hearing and de-

termining the complaints of officers and seamen of English ships, subject to an appeal to the Admiralty, &c. The present Trinity House is situated on Tower Hill. It has almshouses at Mile-End, and at Deptford, for the maintenance and residence of decayed pilots, masters of ships, and their wives and families.

TROVER. An action of trover lies where one person obtains possession of the goods of another, by delivery, finding, or otherwise, and refuses to deliver them to the owner, or sells, or converts them to his own use, without the consent of the owner, for which the owner, by bringing his action of trover, recovers the value of his goods.

TROY-WEIGHT. Used in the compounding of medicines, the weighing of gold, silver, jewels, &c. The pound troy contains 12 ounces, or 5,760 grains. As the standard of weight, it is also employed in ascertaining the accuracy of other weights. The pound troy-weight Scotch is equal to 17 oz. 6 dr. avoirdupois; consequently, of this weight, the cwt. or 112 lbs. avoirdupois, contains only 103 lbs. 2 $\frac{1}{4}$ oz., though generally reckoned equal to 104 lbs.

TRUCK. What was called the truck system, or practice of paying the wages of workmen in goods instead of money, was abolished by act 1 and 2 Will. 4, c. 32.

TRUSS. See *Hay*.

TRUST. In law, a right to receive the profits of land, &c. (and sometimes to let, or sell it,) for particular purposes, as directed by the lawful owner, or pointed out by settlement, &c. A *Trustee* is the person appointed by deed of conveyance, &c., to hold possession of or sell the property therein described.

TURMERIC. The root of the *curcuma longa*, imported from China, Java, Bengal, Tobago, &c. It should be thick, harsh, heavy, and hard to be broken. Casks, or cases should be used for packing it, as the least damp reduces its value. It produces a beautiful but quickly perishable yellow dye for woollen, cotton, linen, &c.

TURPENTINE. A transparent viscous substance flowing naturally, or by incision, from various resinous trees. The true turpentine tree is found in Spain, the southern

parts of France, the island of Chios, the East Indies, &c. Its juice is the *Scio*, or *Cyprus Turpentine* of the shops. The *Common Turpentine* is prepared from different varieties of the pine; and is thick, white, and opaque. Much of it is prepared in Britain, and much is imported from the Baltic, and America. *Venice Turpentine*, less viscid than any of the other turpentines, is either a natural exudation from the larch tree, or it is made by mixing eight parts of common yellow or black resin, with five parts of oil of turpentine. *Strasburg Turpentine*, imported from Germany, is extracted from the silver fir. *Oil of Turpentine* is an essential oil distilled from turpentine. As found in the shops, it always contains more or less of resin, from which it may be freed by redistillation with water. It is used extensively in varnishes, paints, &c., and also in medicine. It should be chosen clear, like fair water, and of a strong and penetrating odour.

TUTENAG. A white metallic compound of copper and zinc, formerly an article of considerable trade from China to India, in manufactured goods, and also in blocks.

TYPE. Amongst letter-founders and printers, the character which is formed by the letter-founder and used by the printer in his trade. The sizes vary, from the smallest, called diamond, of which 205 lines are contained within the length of 12 inches, to the letters which are used in posting-bills, &c., 3 to 12 inches each in height. The latter are sometimes of wood; but the former are of a metallic compound, three parts of lead and one part of regulus of antimony, to give hardness. The subjoined table exhibits the names of the different letters, and their dimensions, or the number of lines which each occupies within a space of 12 inches:—

	Lines.		Lines.		Lines.
Double Pica .	41 $\frac{1}{2}$	Small Pica .	83	Minion .	138
Paragon .	44 $\frac{1}{2}$	Long Primer	89	Nonpareil .	143
Great Primer	51 $\frac{1}{2}$	Bourgeois .	102 $\frac{1}{2}$	Pearl .	173
English . .	64	Brevier .	112 $\frac{1}{2}$	Diamond .	205
Pica . .	71 $\frac{1}{2}$				

VACATION. See *Terms*.

VAGRANTS. In law,—“idle and disorderly persons,” “rogues and vagabonds,” and “incurrigible rogues;” all punishable by imprisonment, hard labour, &c.

VALUATION. If on the importation of any goods, it shall appear to the officers of customs that they are undervalued, such goods may be detained, and conveyed to the king’s warehouse, or otherwise properly secured ; paying to the proprietor his valuation and *ten per cent.* thereon in addition, and also the duties paid on importing such goods, but without any further allowance whatever ; such payment to be made within 15 days, in case the value of such goods exceed £20, and without delay if otherwise. If on the rate of such goods any profit shall arise, the officer is entitled to one moiety thereof. Goods subject to duty on exportation, and charged not according to weight, tale, gauge, or measure, but according to value, being undervalued, may also be detained, paying the proprietor according to his declaration, together with the duties of customs paid thereon, at the time of entry thereof, without any other allowance whatever. *Vide* 27 Geo. 3, c. 13; 49 Geo. 3, c. 98 ; and 54 Geo. 3, c. 122.

VALUE. The price or worth of any thing. *Intrinsic Value* generally implies the real worth of an article in cash, or British sterling money. The words “*Value Received*” are not essential to the validity of negotiable bills, &c. ; yet, according to acts 9 and 10 Will. 3, c. 17, and 3 and 4 Anne, c. 9, § 4, the holder cannot recover interest and damages against the drawer and indorser in default of acceptance or payment, unless the bill contain the words *value received*. It is therefore at all times advisable to insert these words in bills of exchange, promissory notes, &c.

VANILLA. The narrow oblong pod of the *epidendron vanilla*, a species of vine growing extensively in Mexico, the banks of the Oronoco, &c. It is used for mixing with and perfuming chocolate and various other substances.

VARNISH. A clear limpid fluid, capable of hardening without loss of transparency ; used by painters, gilders, &c., and prepared from various resins. For the most re-

cent practical account of the manufacture of varnishes, *vide* a communication by Mr. J. Wilson Neil, in the 49th volume of the *Transactions of the Society of Arts*; also URE'S *Dictionary of Arts, Manufactures, &c.*

VELLUM. See *Parchment*.

VELVET. A rich textile fabric of silk, bearing on the outside a close, short, fine, soft shag; the inner side bearing a very strong close tissue. English velvet is now manufactured of a quality nearly if not quite equal to that of Genoa, &c.

VENDITIONI EXPONAS. A legal writ, directed to the sheriff, commanding him to sell goods which he had formerly taken possession of, for satisfying a judgment given in court.

VENIRE FACIAS. A legal writ addressed to the sheriff to cause a jury in the neighbourhood to appear, when a cause is brought to issue, to try the same.

VENUE. In law, the neighbourhood in which the declaration states the cause of action to have arisen. In *local actions*, or such as relate to lands and tenements, the venue must be laid in the county where the cause of action arose; in *transitory actions*, which relate to goods and chattels, and personal matters, it may be laid in any county. Generally, the defendant is allowed to change the venue in all *transitory actions* arising in a county different from that where the plaintiff may have laid it. He may even change it from London to Middlesex, or *vice versa*; but in *local actions*, the venue cannot be changed.

VERDICT. The answer of a jury given to the court concerning the matter of fact in any cause committed to their trial. In this answer every one of the 12 jurors must agree, or it cannot be a verdict. A false verdict is punishable by fine and imprisonment.

VERDIGRIS. Rust, or acetate of copper, formed from the corrosion of copper by fermented vegetable matter. Of a beautiful blueish green colour, it is much used by painters. Montpellier verdigris is the best, but it bears the high duty of 2s. per lb. We have it also of home

manufacture, through the refuse of cyder, &c. to the action of which plates of copper are exposed.

V E R D I T E R. *Blue verditer* is a precipitate of oxide of copper with lime, used by painters for a blue, or, mixed with a yellow, for a green colour. *Green verditer*, or *Bremen green*, also used by painters, is a preparation of sea salt, blue vitriol, shreds of old copper, &c. By the process of desiccation, it becomes a light powder, resembling magnesia, of a blue, or blueish-green colour.

V E R J U I C E. An acid, resembling vinegar, made of the expressed juice of sour grapes, apples, crabs, &c.

V E R M I C E L L I. The same substance as maccaroni, (a wheaten paste) but formed into long, slender, tubes, or threads, to use in broths, soups, &c.

V E R M I L L I O N. Cinnabar, a common ore of quicksilver, is prepared by the chemist as a pigment, known by the name of vermillion. It is in fact, a compound of mercury and sulphur, 100 parts of the former to 16 of the latter. On account of the beauty and brilliancy of its colour, it is much used in painting, in the manufacture of the finest red sealing-wax, &c. The vermillion of the shops is frequently adulterated with red lead and other substances.

V I A R E G I A. The king's highway, or common public road.

V I A S E R V I T U S. The right of way over another person's ground.

V I E T A R M I S. With force and arms. Words used in indictments to express the charge of a forcible and violent commission of any trespass, or crime.

V I L L A I N, o r V I L L E I N. A man of low or servile condition; originally, a bondman, or servant.

V I L L A N A G E. The meanest tenure by which lands were anciently held; whereby the tenant was bound to do all manner of servile work which the lord might command. All, however, who held in villanage were not villains, or bondmen. Tenants in villanage, or tenants of base tenure, were the same as those we now call copyholders. See *Copyhold*.

V I N C U L O M A T R I M O N I I. Words used in that act of

divorce which utterly dissolves marriage; *à vinculo matrimonii* meaning from the very bond or chain of marriage; whilst a divorce *à mensa et thoro*, only separates the parties from the table and bed. In the latter case, should either party marry again, the marriage is a nullity.

VINEGAR. Of this useful acid there are four varieties; wine, malt, sugar, and wood vinegar, or pyrolignous acid, obtained by the distillation of wood. The crude pyrolignous acid, rectified by a second distillation, is superior in strength to that of the best household vinegar, in the proportion of three to two. Vinegar pays a duty of 2d. per gallon to the excise; and every vinegar maker must take out an annual license, at the cost of £5. No vinegar maker may receive any vinegar, or any preparation for vinegar, without giving 12 hours' notice to the excise, under penalty of £100. All places for manufacturing or keeping vinegar must be entered, under a penalty of £50. Vinegar makers are bound to make entries at the nearest excise office of the quantity made within each month, and are also bound to clear off the duties within a month of each entry, on pain of double duties. Persons sending out, or receiving vinegar, unless by permit, and the duty on it be paid, are liable to a penalty of £200.

VIREMENT. A method of settling the payment of bills or mutual debts, at the fairs of Lyons, and other places, somewhat after the manner of clearing, as practised by the London bankers.

VITRIOL.—See *Copperas*. *Oil of Vitriol*, or *Vitriolic Acid*, is the same as *Sulphuric Acid*.

VIVA VOCE. The examination of a witness by parole in open court.

VOUCHER. In commerce, a ledger-book, or book of accounts, in which are the warrants or acquittances for the accountant's discharge. Also, any receipt or paper in evidence of the payment of money. In law, a word used in writs of recovery.

ULLAGE. So much of a cask, or other vessel, as it may want of being full. Ullages of spirits at the docks are frequently occasioned by the filling up of casks for

exportation; in which case it is usual to pay the duties on that quantity.

ULTRAMARINE. A fine blue powder made from the blue parts of lapis lazuli. It neither fades nor becomes tarnished by exposure to the air or to a moderate heat; on which account it is much used in painting.

UMBER. A dry dusky-coloured earth, which, diluted with water, constitutes a dark brown colour.

UMPIRE. A third person called in to decide when two arbitrators differ.

UNQUES PRIST. A term used in pleading, to signify always ready to perform a thing.

USANCE.—See page 35.

WAD. The provincial name of plumbago, or black-lead, in Cumberland.

WAGER. *Wager of Law* is so termed because the defendant puts in sureties (*vadios*) that on such a day he will “make his law;” that is, take the benefit the law allows him. *Wager of Battle* was a trial by combat anciently allowed by law, but abolished some years ago.

WAGES. Pay given for labour, service, &c. It was remarked by Adam Smith, that the higher price of labour is the main cause of the higher money-prices in one country than in another; but it does not follow that commodities are necessarily higher, because the money-price of labour is higher in one country than in another, for perhaps the labourers are more skilful, or profits and interests are lower in the one country than in the other. A high money-price of labour has no necessary connexion with its value. Suppose rents and wages to be all reduced 50 per cent. and all commodities to be reduced in proportion, the exchangeable value of labour would still be the same as it now is, and the condition of the labourer as good. Wages may be as high to all practical purposes in a country where money prices are low, as where they are high. It is universally agreed that a general high rate of wages, whether in the money-price or exchangeable value, is an advantage to a nation in its foreign commercial competition. The following table to calculate wages and other payments will be found useful:—

TABLE TO CALCULATE WAGES AND OTHER PAYMENTS.

Yr.	Pr. Mo.	Pr. Week	Pr. Day	Yr.	Pr. Mo.	Pr. Week	Pr. Day	Yr.	Pr. Mo.	Pr. Week	Pr. Day
£.	£. s. d.	£. s. d.	£. s. d.	£.	£. s. d.	£. s. d.	£. s. d.	£.	£. s. d.	£. s. d.	£. s. d.
1	0	1	8	0	0	4	0	0	18	4	0
2	0	3	4	0	0	9	1	1	0	0	4
3	0	5	0	0	1	1	2	1	1	8	0
4	0	6	8	0	1	6	2	1	3	4	0
5	0	8	4	0	1	11	0	15	1	5	9
6	0	10	0	0	2	3	0	16	1	6	8
7	0	11	8	0	2	8	4	17	1	8	4
8	0	13	4	0	3	3	4	18	1	10	0
9	0	15	0	0	3	5	4	19	1	11	8
10	0	16	8	0	3	10	4	20	1	13	4

If the Wages be Guineas instead of Pounds, for each Guinea add one penny to each Month, or one Farthing to each Week.

WAGE. In law, to pledge, or give security.

WAIFS. Goods which have been stolen and *waived* (or abandoned) by the thief on his being pursued. If the rightful owner be not discovered, waifs become forfeit to the crown.

WAPENTAKE. A division of a county, the same as hundred: so called from a meeting held by the inhabitants, in which they touched each other's weapons, and surrendered them to their lord, in token of their fidelity and allegiance.

WARD. One under a guardian. Guardian and ward stand, *pro tempore*, in the relation of parent and child. For their more certain protection, minors may be made *wards of the Court of Chancery*.—See *Infant*.

WAREHOUSING. The lodging of imported articles in government warehouses, where they remain without payment of the duties, till they are taken out for home consumption, or re-exported free of duty. The act 3 and 4 Will. 4. c. 57, is the principal regulating act in warehousing. The subjoined are points requiring particular attention :—

The treasury appoints the *Warehousing Ports* in Great Britain and Ireland, specifying the goods that may be warehoused in each, classed in tables. Of these ports the following are lists :—

England.—Arundel, Barnstaple, Bideford, Boston, Bridgewater, Bridport, Bristol, Chepstow, Chester, Chichester, Colchester, Cowes, Dartmouth, Dover, Exeter, Falmouth, Gloucester, Goule (near Hull), Grimsby, Hull, Ipswich, Lancaster, Liverpool, London, Lynn, Maldon, Milford, Newcastle, Newhaven, Plymouth, Poole, Portsmouth, Rochester, Rye, Shoreham, Southampton, Stockton, Sunderland, Swansea, Weymouth, Whitby, Whitehaven, Wisbeach, Yarmouth.

Scotland.—Aberdeen, Borrowstouness, Dumfries, Dundee, Glasgow, Grangemouth, Greenock, Leith, Montrose, Port Glasgow.

Ireland.—Belfast, Coleraine, Cork, Dublin, Drogheda, Dundalk, Galway, Limerick, Londonderry, Newry, Sligo, Waterford, Wexford.

The rates for *Warehouse Rent* at the above ports, are as follows :—

Large cases and vats with toys and other merchandise, and packages of wine and other liquids, 6d. per week each.—Packages of baggage and presents, such as boxes, kegs, jars, &c., 2d. per week each. All other packages (except tobacco) 4d. per week each. For every hogshead of tobacco deposited in the king's warehouse at London, 2s.; and for every hogshead taken out of the same, 2s. For every hogshead of tobacco warehoused at the out-ports, 1½d. per week.

The commissioners of customs provide warehouses for tobacco. Orders made by the commissioners of customs in respect to warehouses of special security, those of original appointment as well as of revocation, alteration, or addition, must be published in the London Gazette for those in Britain, and in the Dublin Gazette for Ireland. Proprietors or occupiers of warehouses may give general security by bond, with two sureties, for payment of the export or import duties of such goods as may be deposited therein; or, if unwilling to do so, the importers, &c., are to be called upon. The sale of goods made by the proprietor of a warehouse, is valid, although the goods remain in the warehouse. All warehoused goods must be so stowed as to be easy of access, under forfeiture of £5. by the warehouse-keeper; and if any goods be illegally removed out of a warehouse, the warehouse-keeper is liable for payment of duties thereon. Goods fraudulently concealed or removed to be forfeited; and if the proprietor or importer obtain fraudulent access to goods, penalty £500. Officers of the customs to examine and mark the contents of each package, on entry and on landing; such goods as may not be imported for home use to have the word *prohibited* marked on them. Officers of customs must superintend the warehousing, re-warehousing, removal, and carrying of goods. Goods must be cleared in three years, and ships' stores in one year; or they may be sold to defray the expenses of rent, &c. By act 4 and 5 Will. 4, c. 89, § 20, the commissioners of customs shall remit or return the duties payable or paid, on the whole

or any portion of wine, spirits, or other fluid, which shall be lost by any unavoidable accident in the warehouse in which it had been deposited ; and the duties upon the following articles, deposited in warehouses of special security, viz. wine, currants, raisins, figs, hams, cheese, and mahogany, when taken out of warehouse for home use, shall be charged upon the quantities actually delivered. According to act 5 and 6 Will. 4, c. 66, the clause in the general warehousing act providing for the indemnification of the merchants for damage occasioned to merchandise in warehouses by embezzlement, waste, or spoil, or by the wilful misconduct of the officers, shall not be taken to extend to any damage or loss occasioned by fire. Goods whether for exportation or home use, may not be delivered from the warehouse but on payment of duty. Rum of the British plantations for stores, and surplus stores, may be delivered into the charge of the searcher to be re-shipped for the same ship, or for the same master in another ship, without entry or payment of duty. Duties are to be paid on original quantities of goods, except in certain cases. The duties on tobacco, sugar, and spirits are to be charged (except in certain cases) on the quantities delivered out of the warehouse, for home use, according to the weight, measure, or strength of the same. An importer may enter goods for home use, &c. to be considered as virtually and constructively warehoused, though not actually deposited in the warehouses. Under certain regulations goods may be removed from one port to another to be re-warehoused. Goods re-warehoused are to be held on the terms of the first warehousing. On arrival at another port, and after the forms of re-warehousing have been gone through, parties may enter to export without actually depositing the goods in the warehouse. When goods have been sold, the new owner may give general bond of security. In the warehouse it is lawful to sort, separate, pack, and re-pack any goods, and to make such alterations therein, or arrangements thereof, as may be necessary either for the preservation of such goods, or in or to the sale, shipment, or legal disposal of the same ; provided such goods be

packed in the original packages, or in packages of entire quality equal thereto, or as the commissioners may permit; but no alterations may be made in any goods or packages, nor shall any wine, spirits, &c. be bottled, drawn off, mixed, or filled up, nor samples be taken, but under such regulations as the commissioners may require and direct. After re-package, should there be any refuse, damaged, or surplus goods, the same to be disposed of, destroyed, or allowed for, under the circumstances of the case, according to the direction of the commissioners. The commissioners may accept the abandonment for the duties of any quantity of tobacco, coffee, pepper, cocoa, lees of wine, and also of any whole packages of other goods, and to cause or permit the same to be destroyed, and to deduct such quantity of tobacco, &c. or the contents of such packages, from the total quantity imported, in computing the amount of the deficiency of such total quantity. No foreign casks, bottles, corks, packages, or materials whatever, except any in which some goods shall have been imported and warehoused, shall be used in re-package in the warehouse, unless the full duties have been paid thereon. Under security, silks, linens, &c., may be delivered out of the warehouse to be cleaned, dyed, &c. East India rice may also be delivered out to be cleaned. Copper ore may be taken out to be smelted. Goods in bulk may not be delivered, except in the whole quantity of each parcel, or in a quantity not less than one ton weight, unless by special leave of the proper officers. Decrease and increase in quantities of goods may be allowed for under regulations of the Treasury. On entry outwards, bond shall be given in double the value of the goods for their due shipping and landing. On the entry outwards of any salted beef or pork, to be exported from the warehouse to ports beyond sea, bond must be given in treble the value of the goods, with two sureties, of whom the master of the exporting ship shall be one, that such beef or pork shall be duly shipped and exported, &c., and no part thereof be consumed on board of such ship. And such ship shall not have on board at the time of clear-

ance outwards a reasonable supply of beef or pork, according to the intended voyage, borne upon the victualling bill, the master of such ship shall forfeit £100. No goods may be exported from the warehouse to the Isle of Man, except such as may be imported there with license of the commissioners of customs. Warehoused goods may not be entered for exportation in any ship not of the burden of seventy tons or upwards. Goods landed in docks, under the warehousing act, are liable to claims for freight the same as before landing.

WARNING.—See 190.

WARP. The threads which are extended longitudinally on the weaver's loom, and across which the workman, by his shuttle, passes the threads of the woof to form cloth, silk, &c. Also a small rope to assist in getting a ship into port.

WARRANT. A writ enforcing some right or authority. A justificatory commission. A precept under hand and seal to an officer to apprehend an offender, that he may be dealt with according to law. A *Warrant of Attorney* is an authority and power given by a person to his attorney to appear, and plead for him, or to suffer judgment against him by confessing the action.

WARRANTY. An undertaking that the article sold, &c. answers to the description given of it by the seller to the buyer.

WASTE. The spoil and destruction brought on any estate, either in houses, lands, woods, &c., by tenants for life or years, to the damage of him in reversion or remainder.

WATERING.—See *Tabby*.

WATERMEN. The Thames watermen form a company, and are under regulations made by act 10 Geo. 2, c. 31, and other regulations made by the Lord Mayor and Court of Aldermen, and Lords of the Treasury. Their names, residences, numbers of their boats, &c., are all registered at the Watermen's Hall, adjoining Thames Street, and any information respecting any of them may be obtained there on payment of one shilling.

WATER-PROOF. A term applied to certain cloths, wearing apparel, &c., which, having undergone some chemical and mechanical process, becomes impervious to moisture. In 1835, Mr. William Simpson Potter obtained a patent for rendering fabrics water-proof by means of a solution of isinglass, alum, and soap. Cloth was thus said to be rendered impervious to water, though not to air; and some woollen cloths are now so prepared, that, although water cannot penetrate them, they may be breathed through with perfect facility. This is a very important point in water-proof fabrics. In the same year (1835), but subsequently to the date of Mr. Potter's patent, Mr. Sievier obtained a patent for rendering cloth water-proof. This was effected by spreading over the cloth, by means of a brush, a solution of caoutchouc (see *Caoutchouc*) or Indian rubber, in spirits of turpentine, at one or more applications, and then applying a similar solution mixed with acetate of lead, litharge, sulphate of zinc, gum mastic, or some other dyeing material. The London Caoutchouc Company, for rendering cloth water-proof, and for the manufacture of an infinite variety of articles on the same principle, is founded on Mr. Sievier's patent, which is understood to be in all respects perfectly satisfactory. One point entirely novel, is the manufacture of an air-tight substitute (chiefly from caoutchouc) for stoppers for wine decanters, corks, bungs for casks and pickling jars, &c. Mr. Macintosh's patent for water-proof cloaks, &c., has also been very successful. Water-proofing, from caoutchouc, is now extensively practised in the manufacture of hats, boots, &c.

WATERS. "Mineral waters," observes Dr. Ure, in his *Dictionary of Arts, Manufactures, &c.*, "may in most cases, be artificially prepared, by the skilful application of the knowledge derived from analysis, with such precision as to imitate very closely the native springs." To facilitate the operation Dr. Ure subjoins two analytical tables of the principal German and other mineral waters, with instructions.

WAX. A tenacious vegetable as well as animal product,

several plants containing wax in great abundance. *Bees-wax* is a firm, solid substance, moderately heavy, and of a fine yellow colour. From this wax, by bleaching, is formed *white wax*, of which *wax candles* are made. White or bleached wax is apt to be adulterated : sometimes with starch ; more frequently with mutton suet. The former may be detected by oil of turpentine, which dissolves the wax, and leaves the starch ; the latter by dry distillation. *Myrtle-wax* is obtained from the leaves of a shrub abundant in many parts of North America, and is of a pale green colour. *Mineral wax*, or *ozocerite*, is a solid substance, of a brown colour, found in masses of from 80 to 100 lbs. in weight, at the foot of the Carpathian mountains. Tolerable candles have been made of it in Moldavia. *Sealing-wax* is a composition of gum-lac, melted and prepared with resins, and coloured with some pigment, as vermillion, verditer, ivory black, &c. There are two sorts of sealing-wax in use : one, hard, as above, for sealing letters, legal instruments, &c. ; the other, soft, for receiving the impressions of seals of office to charters, patents, &c.

WEAVING. The art of working a web of cloth, silk, &c., in a loom, with a shuttle. *Warping* (see *Warp*) is the commencement of the process. The *weft* or *woof*, is the name of the yarns or threads which run from selvage to selvage in a *web*.

WEIGHERS. A numerous class of custom-house officers, whose duty it is to attend and assist in the weighing of all customizable goods. They are divided into established, preferable, extra, and glut weighers. Of this class of officers, only the established and preferable weighers have the power of making seizures.

WEIGHTS AND MEASURES. By 35 Geo. 3, c. 102, and 37 Geo. 3, c. 143, it is enacted that the justices at the petty sessions may appoint one person or more to examine the weights and balances within their district, and to seize such as are not according to the standard of the exchequer ; these are to be broken up and the materials sold, the parties to be fined not less than five shillings,

nor more than twenty shillings. And whoever may obstruct the inspectors in the execution of their duty, or shall refuse to produce his weights and balances to them, shall forfeit from five to forty shillings.

The following remarks upon weights and measures are chiefly condensed from an able article on the subject in M'CULLOCH's *Dictionary of Commerce*, &c. as are also the succeeding tabular statements.

In a country where commercial and trading transactions are extensively carried on, the importance of having weights and measures determined by some fixed standard is obvious. Standards of lineal measure must have been fixed upon at a very early period, and appear to have consisted principally of parts of the human body; as the cubit, or length of the arm from the elbow to the tip of the middle finger;—the foot;—the ulna, arm, or yard;—the span;—the digit, or finger;—the fathom, or space from the extremity of one hand to that of the other, when both are extended in opposite directions;—the pace, &c. But as the size of different parts of the human body differ in different individuals, it was necessary to select some durable article—a metallic rod for example—of the length of an ordinary cubit, foot, &c., and to make it a standard. Such standards have usually been preserved with great care: at Rome they were kept in the temple of Jupiter; amongst the Jews they were entrusted to the family of Aaron. The principal standards used in the ancient world were the cubit of the Jews, from which their other measures were derived; and the foot of the Greeks and Romans. In England, a revived standard of lineal measure was introduced by Henry I., who ordered that the ulna, or ancient ell, which corresponds to the modern yard, should be made of the exact length of his own arm, and that the other measures of length should be raised upon it. This standard has been maintained. In 1742, the royal Society had a yard made, from a careful comparison of the standard ells or yards of the reigns of Henry VII. and Elizabeth kept at the Exchequer. In 1758, an exact copy was made of the Royal Society's yard; and

this identical yard is declared, by the act 5 Geo. 4, c. 74, to be the standard of lineal measure in Great Britain. And it is declared to be the unit or only standard measure of extension, from which all other measures of extension, lineal, superficial, or solid, shall be derived, computed, and ascertained; and that all measures of length shall be taken in parts or multiples or certain proportions of the said standard yard; and that one third part of the said standard yard shall be a foot, and the twelfth part of such foot shall be an inch; and that the pole or perch in length shall contain five and a-half such yards, the furlong 220 such yards, and the mile 1760 such yards. The superficial measures are formed on the basis of the square of this standard; the rood of land to contain 1,210 square yards, and the acre 4,840 such square yards, being 160 square perches, poles, or rods.

It must have occurred at an early period, that to obtain an accurate measure of liquids, nothing more was necessary than to constitute an artificial standard; the dimensions, and consequently the capacity of which should be determined by the lineal measures previously adopted. The determination of the weight or gravity of different bodies supposes the invention of the balance. It seems probable that, at first, cubes of some common lineal measure, as a foot, or the fraction of a foot, formed of copper, iron, or some other metal, were used as standards of weight. Then if it were desired to ascertain the specific weight or gravity of any article, all that was necessary was to put it into one of the scales of the balance; and as many cubes or parts of cubes, into the other, as might be necessary to effect a counterpoise. Weights, however, have been frequently derived from grains of corn. Hence, in England and in some other countries the lowest denomination of weight is a grain; and thirty-two (now twenty-four) of these grains are directed, by the ancient statute call *compositio mensurarum*, to compose a pennyweight, whereof twenty make an ounce, twelve ounces a pound, and so upwards.

The act 5 Geo. 4, did much towards remedying the con-

fusion and inconvenience that had long been felt from the use of weights and measures of the same denomination, but of different magnitudes. Avoirdupois and Troy weights were both retained, and the latter decreed to be the standard of weight, 5,760 grains Troy, being one pound Troy, and 7,000 such grains being one pound avoirdupois. The measures of capacity were found to be especially confused, and a considerable change was consequently made in them. The wine gallon formerly amounted to 231 cubic inches, the corn gallon to 268.8, and the ale gallon to 282. But these are superseded by the imperial gallon, which contains 277.274 cubic inches, or $277\frac{1}{4}$ very nearly. The imperial gallon is now "the only standard measure of capacity from which all other measures of capacity to be used, as well for wine, beer, ale, spirits, and all sorts of liquids, as for dry goods not measured by heap measure, shall be derived, computed, and ascertained." There is still much difficulty in the practice of selling by heaped measure. Models of the standard weights and measures are to be kept in the different counties, cities, boroughs, &c., for the verification of the weights and measures in use in such places.

Tables of the respective English weights and measures, according to the new or imperial standard, are to be found in all modern books of arithmetic, on printed sheets, &c.

The inch is generally divided, on scales, into tenths or decimal parts; but in squaring the dimensions of artificers' work, the duodecimal system is adopted; the inch being divided into twelve parts or lines, each part into twelve seconds, and each second into twelve thirds. In the carpenter's rule, for workmanship, the inch is divided into fourths, eighths, and sixteenths.

Marble, stone, timber, masonry, and all artificers' work of length, breadth, and thickness, are measured by cubic measure; also the contents of all measures of capacity, both liquid and dry.

The dimensions of the imperial standard bushel are:—outer diameter, $19\frac{1}{2}$ inches; inner diameter, $18\frac{1}{2}$; depth, $8\frac{1}{4}$; height of the cone for heaped measure, 6 inches.

The contents of the imperial heaped bushel are 2815.4887 cubic inches. The subdivisions and multiples are in the same proportion.

The old wine gallon contains 231 cubic inches, and the imperial gallon 277.274 ditto; consequently, to convert wine gallons into imperial gallons, multiply by $\frac{231}{277.274}$, or .83311; and to convert imperial gallons into wine gallons, multiply by the reciprocal fraction $\frac{277.274}{231}$, or by 1.20032. For most practical purposes, however, wine measure multiplied by 5 and divided by 6 will give imperial measure with sufficient accuracy, and conversely. The multipliers and divisors employed to reduce old wine, ale, &c. measures to imperial measure, serve also to reduce prices by the former to the latter.

The old ale gallon contains 282 cubic inches, and the imperial standard gallon 277.274 ditto; consequently, to convert ale gallons into imperial gallons, multiply by

$\frac{282}{277.274}$, or by 1.0170445; and to convert imperial gallons into ale gallons, multiply by the reciprocal fraction $\frac{277.274}{282}$, or by .9832411. Unless extreme accuracy be required, only the first three decimals need be used. And for most practical purposes, ale measure multiplied by 59 and divided by 60 will give imperial measure with sufficient accuracy, and conversely.

The Winchester bushel is 18 $\frac{1}{2}$ inches wide, and 8 inches deep. Corn and seeds are measured by striking the bushel from the brim, with a round piece of light wood, about two inches in diameter, and of equal thickness from one end to the other. All other dry goods are heaped. The Winchester bushel contains 2150.42 cubic inches, and the imperial standard bushel 2218.192 ditto; consequently, to convert Winchester bushels into imperial bushels, multiply by $\frac{2150.42}{2218.192}$, or by .969447; and to convert impe-

rial bushels into Winchester bushels, multiply by the reciprocal fraction $\frac{2218.192}{2150.42}$, or 1.0315157. For practical purposes, multiply Winchester measure by 31 and divide by 32 for imperial measure, and the contrary. In some markets corn is sold by weight; and even where measures are used, it is customary to weigh certain quantities or proportions, and to regulate the prices accordingly. The average bushel of wheat is generally reckoned at 60 lbs.; of barley, 47; of oats, 38; peas, 64; beans, 63; clover, 63; rye and canary, 53; and rape 48 lbs. In some places a load of corn, for a man, is reckoned five bushels, and a cart load forty bushels.

The new metrical system established in France subsequently to the revolution, is founded on the measurement of the quadrant of the meridian, or of the distance from the pole to the equator; the ten millionth part of which was assumed as the *mètre*, or unit of length, all the other lineal measures being multiples or submultiples of it in decimal proportion. The *mètre* corresponds pretty nearly to the old French *aune* or yard, being equal to 3.07844 French feet, or 3.281 English feet, or 39.3708 English inches. The unit of weight is the *gramme*, which is a cubic *centimètre*, or the hundredth part of a *mètre* of distilled water of the temperature of melting ice; it weighs 15.434 English Troy grains. To express the decimal proportion, the subjoined vocabulary of names has been adopted, in which the terms for multiplying are Greek, and those for dividing are Latin. Thus, for multipliers, the word

<i>Deca</i>	prefixed means	10 times
<i>Hecto</i>	—	100 times
<i>Kilo</i>	—	1,000 times
<i>Myria</i>	—	100,000 times.

On the contrary, for divisons, the word

<i>Deci</i>	expresses the	10th part
<i>Centi</i>	—	100th part
<i>Milli</i>	—	1000th part.

Thus :—

<i>Decamètre</i>	means 10 mètres
<i>Decimètre</i>	the 10th part of a metre
<i>Kilogramme</i>	1000 grammes, &c.

The *are* is the element of square measure, being a square *decamètre*, equal to 3·955 English perches. The *stère* is the element of cube measure, and contains 35·317 cubic English feet. The *litre* is the element of all measures of capacity. It is a cubic *decimètre*, and equals 2·1135 English pints. 100 *litres* make the *hectolitre*, which equals 26·419 wine gallons, or 2·838 Winchester bushels.

The new French *Système Usuel*, or Binary System, takes the metrical standards for its basis, but their divisions are binary, that is, by 2, 4, 8, &c.; and instead of the new vocabulary, the names of the ancient weights and measures are used, annexing the term *usuel* to each. Thus the half *kilogramme* is called the *livre usuelle*, and the double *mètre* the *toise usuelle*. Passing over the *Comparison of French and English Weights and Measures*, according to the *Decimal System*, as less practically useful in this country, we proceed at once to some short tables of the *Système Usuel*.

COMPARISON OF WEIGHTS.

	Grammes	Troy Weight.				Avoirdup. Weight.		
		lbs.	oz.	dwt.	gr.	lbs.	oz.	dr.
Kilogramme	1,000	=	2	8	3	2	2	3
Livre usuelle	500	=	1	4	1	13	1	1
Half	250	=		8	0	18·5		8
Quarter	125	=		4	0	9·5	4	6 $\frac{1}{2}$
Eighth	62·5	=		2	0	4·5	2	3 $\frac{1}{2}$
Once	31·3	=		1	0	2·25	1	1 $\frac{1}{2}$
Half	15·6	=		10		1·125		8 $\frac{1}{8}$
Quarter	7·8	=		5		0·5		4 $\frac{1}{8}$
Gros	3·9	=		2		12·25		2 $\frac{1}{4}$

COMPARISON OF LINEAR MEASURES.

Mesure Usuelle	Mètres	English Measure.		
		Feet	Inches	Parts.
Toise usuelle	2	=	6	6 9

<i>Meure Usuelle</i>		<i>Metres</i>	<i>English Measure.</i>		
			<i>Foot</i>	<i>Inches</i>	<i>Parts.</i>
Pied, or foot		0 $\frac{1}{2}$	=	1	1 $\frac{1}{2}$
Inch		0 $\frac{1}{12}$	=	0	1 $\frac{1}{2}$
Aune		1 $\frac{1}{2}$	=	3	11 $\frac{1}{2}$
Half		0 $\frac{5}{2}$	=	1	11 $\frac{1}{2}$
Quarter		0 $\frac{1}{4}$	=	0	11 $\frac{1}{2}$
Eighth		0 $\frac{1}{8}$	=	0	5 $\frac{1}{2}$
Sixteenth		0 $\frac{1}{16}$	=	0	2 $\frac{11}{16}$
One third of an aune		0 $\frac{3}{2}$	=	1	3 $\frac{1}{2}$
Sixth		0 $\frac{1}{4}$	=	0	7 $\frac{1}{2}$
Twelfth		0 $\frac{1}{8}$	=	0	3 $\frac{1}{2}$

COMPARISON OF MEASURES OF CAPACITY.

	<i>Litres</i>	<i>English Wts. Bushel.</i>
Boisseau usuel	12·5	0·35474
With halves and quarters in proportion.		

	<i>Paris Pinte</i>	<i>English Pint.</i>
Litron usuel	1·074	= 2 $\frac{1}{2}$
With halves and quarters in proportion.		

WELD. Dyer's weed; a stalky plant, growing in various parts of Europe. It imparts the lively green lemon yellow, dyes silk a golden yellow, &c.

WELDING. Pieces of wrought iron, when heated to whiteness, may be permanently *welded* under the hammer, without any appearance of juncture.

WERST or VERST. A Russian linear measure, equal to about 3,500 feet, or rather less than three fourths of a mile, English.

WEY. Of salt = 40 bushels, each bushel = 56 lbs.; —of cheese = 32 cloves, each clove = 7 lbs.; —of wool 6 $\frac{1}{2}$ tod, each tod = 28 lbs.

WHALE. The common whale, or *balena mysticetus*, is a marine animal of the cetaceous species, by some writers said to have been formerly found, in the northern seas, of 160 feet in length, but now rarely seen more than sixty. Beneath the skin, the bodies of whales are covered with a layer of fat, or blubber, from twelve to eighteen inches thick; this blubber yielding, by expression, nearly its own weight of oil. The black-headed spermaceti whale, or

physeter macrocephalus, found mostly in the southern ocean, about sixty feet in length and thirty in circumference, presents a spongy oily mass in the cavity of its head. This is the crude spermaceti, of which an ordinary sized whale generally yields about a dozen barrels. What is called the *Sea Elephant*, or southern walrus, a creature intermediate between the seal and the walrus of the northern seas, is met with chiefly near the islands of Desolation, the coast of California, South Georgia, South Shetland, &c. It is believed to furnish more oil than the common South Sea whale. The spermaceti and southern colonial oils are imported chiefly from Van Diemen's Land and New South Wales; whale and seal oil from our North American possessions.

WHALEBONE. Whalebones, or as they are sometimes called Whalefins, are a horny and exceedingly elastic substance, adhering, in their parallel lamina, to the upper jaw of the whale. These bones, sometimes exceeding 350 in number on each side of the jaw, vary in length, from three to twelve or fifteen feet; all above six feet in length being called size-bone. Whalebone is employed for the stiffening of women's stays, the frame-work of hats and bonnets, the ribs of umbrellas and parasols, &c. By heating it in steam, or in a sand-bath, it may be softened and bent or moulded, like horn, into a variety of forms, which, if cooled under pressure, it will retain. Thus, from the thicker portion, towards the root, snuff-boxes, knobs of walking-sticks, &c., may be made.

WHARF. See *Quay*. *Wharfage* is a charge for the use of a wharf.

WHEAT. The most important bread corn that is grown in Europe. Much is imported from the Baltic, &c. That from North America is usually reduced into flour. See *Corn Laws*.

WHETSLATE. A massive mineral, generally of a greenish-grey colour, of which there are numerous varieties: the finest, from Turkey, are known as *hone-stones*, *oil-stones*, &c., and are in much request for giving a fine edge to steel instruments. *Whetstone* is a rough and coarse-

grained sandstone, dug up in Derbyshire and other northern counties, and used for sharpening of scythes, knives, &c. It is of a dusky yellow colour, and, though permeable to water, resists the action of acids.

WHISKEY. Dilute alcohol, or spirit, distilled from the fermented worts of malt, sugar, or molasses, though generally from malt. The name seems to be a corruption from *usquebaugh*.

WILL. The declaration of a man's mind and intent relating to the disposition of his estate after his death. In the common law there is a distinction made between a *will* and a *testament*; that is called a *will*, by which lands or tenements are given; and when the disposition concerns goods and chattels alone, it is called a *testament*. The latter requires executors, which the former does not. A gift of lands or tenements by will is called a *devise*, and the person to whom they are given a *devisee*. A bequest of goods and chattels is termed a *legacy*, and the person to whom they are bequeathed a *legatee*. It signifies not on what material, whether on paper or parchment—nor in what language, whether in Latin, French, Dutch, or any other tongue—or in what hand or letters, whether in secretary hand, Roman hand, or court hand, or in any other, a will be written, so that it be fair and legible, that it may be read and understood. According to act 1 Vict. c. 26, “the will must be in writing.” But these words are taken only as meaning to exclude verbal or nuncupative wills, and not to be in opposition to printed or lithographed wills.

According to the act Vict. 1, c. 26, § 7, mentioned above, and which applies to all wills made on or after the 1st of January, 1838, the will must be signed at the end by the testator, either by his signing his name, or making his mark, or by some other person doing so for him in his presence, and by his direction. Such signature or mark must be made or acknowledged by the testator in the presence of two or more witnesses (but not less than two) both being present at the same time. All such witnesses must subscribe their names to the will in the presence of

the testator, and of each other. It will then be sufficient for the passing of real or personal property, or both.—No particular form of attestation is necessary; but the following may be used, and, if used, it must be copied and written at the end of the will, below the signature of the testator:—

“ Signed by the said A. B. the testator, in the presence of us, present at the same time, who in his presence have subscribed our names as witnesses.”

The testator should appoint one or more executors. No obliteration, interlineation, or other alteration made in any will after the execution thereof, will be valid unless the signature of the testator, and the subscription of the witnesses be in the margin opposite or near to such alteration, or at the foot of, or opposite to a memorandum written at the end or some other part of the will referring to such alteration. Any gift, legacy, or beneficial interest given to an attesting witness, of a will, or to his or her wife or husband, will be void (except charges or directions for payment of a debt or debts) therefore all persons taking any such interest, or whose wife or husband shall take any such interest, should abstain from being an attesting witness to a will. The marriage of a person subsequent to the making of a will, renders the will void, whether the testator so intend it or not; and if the testator wish to revive it, he can do so only by re-executing it in the same way as it was originally executed, or by means of a codicil similarly executed, showing an intention to revive.

Some exceptions are made to the foregoing formalities in the case of soldiers on actual service and mariners or seamen at sea, petty officers and seamen in the royal navy, and noncommissioned officers of marines and marines. By the act of Victoria above-mentioned, all verbal wills made on and after the first of January, 1838, are void.

It has been presumed that where a will has been made contrary to the interest and inclination of some of the testator's family or relations, it may, unknown to him, have been destroyed before his death, or concealed afterwards,

and thereby, notwithstanding the care he may have taken to dispose of his estate and effects, the same have been left to the disposition of the law. To prevent such misfortunes, Lord Coke's advice may be observed, which is to make two parts of the will, and to leave one part thereof in the hands of a friend ; either of which parts may be proved, and hereby the testator's will may be secured ; and, should he think proper to conceal it at any time before his death, this will not prevent or hinder him from so doing, more than if there were only one part. For the cancelling of one part, when the same is done with an intention to destroy the whole will, is as the cancelling of both, and a good revocation of the whole will.

Excepting those who labour under some legal disability, all persons are capable of *taking* under a will. An illegitimate child is, *after birth*, capable of taking a devise ; but a devise to a bastard, *before birth*, is void. Coverture does not disable a woman from taking a devise ; at law, she cannot take without the consent of her husband ; but the Court of Chancery will compel him to give his consent.

To many persons, it may save trouble and expense for them to be apprised, that lithographed "forms of wills," ready for immediate use, and requiring only the blanks to be filled up with names, dates, &c., may now be had, in accordance with the act 1 of Victoria, and providing as follows :—

"No. 1. Devise of property to one or more persons absolutely, with instructions for legal execution.—No. 2. Devise of property to executors in trust, to be sold, and to pay proceeds to any number of persons with instructions. No. 3. Devise of property to executors in trust, and to pay proceeds to testator's children, with provision for maintenance during minority of children, and with clauses for appointment of new trustees with instructions.—No. 4. Devise of property to wife for life, and after her death, to children absolutely, with instructions."

These forms may be had of most booksellers, law-stationers, &c.

In law, the following persons are deemed incapable of making a will :—1. *Infants* or *minors*, all under twenty-one years of age (see *Infant*) ;—2. *Idiots*, or natural fools ;—3. *Imbeciles*, persons grown childish, either through old age, or any infirmity or distemper ;—4. *Lunatics* ;—5. *Drunken men*, when through intoxication deprived of reason and understanding ; as it is always requisite for a testator when he makes his will to be “of sound memory and understanding ;”—6. *Persons born blind or deaf and dumb*, unless it manifestly appear that such persons understand what a will means, and that they have a desire to make a will ;—7. *Married women*, unless by consent of their husbands, or by covenant before marriage ; or if their husbands be banished beyond sea for life, when they may make wills, and act in all things as though they were unmarried, or as though their husbands were dead. 8. *Traitors and felons*, as, from the time of their conviction, all they possessed became forfeited to the crown ; but the royal pardon restores them to their capacity of making a will ; 9. *Outlaws*, so long as their outlawry continues, cannot dispose of their personal property, though they may of their lands, &c. See *Executor*, and *Probate*.

WINE. An agreeable spirituous liquor, produced by fermentation from such vegetable substances as contain saccharine matter. More strictly speaking, however, wine is the fermented juice of the grape, or berries of the vine—*vitis vinifera*. The wines chiefly consumed in England are Port, Sherry, Claret, Champagne, Madeira, Hock, Marsala, Cape, &c. The greatest proportion is from Spain and Portugal, particularly the latter ; government having always, until of late years, discouraged the importation of French wines by very heavy duties. Now, however, the duty on all foreign wines, is the same ; viz. 5*s.* 6*d.* the imperial gallon. To encourage the consumption of wine the produce of the Cape of Good Hope, that wine is subject to a duty of only 2*s.* 9*d.* per gallon. With the exception, however, of Constantia, most of the Cape wines have an earthy taste, are frequently acid, and deficient in body, flavour, and aroma. The favour shown to them by

government forces a bad article into the market, the greater part of which is believed to be employed for the purpose of adulterating and degrading sherry, Madeira, &c.

Port, so named from Oporto, whence it is generally shipped, is produced in the province of Upper Douro, in Portugal. With this wine, as shipped for England, a large quantity of brandy is always mixed. The Oporto wine company, abolished in 1834, was re-established by a royal decree, dated Lisbon, April 7, 1838, with a monopoly, under certain restrictions, for a term of twenty years. *Sherry* should possess a deep amber colour, a warm taste, with something of the flavour of the peach kernel, and a fine aromatic odour. Pale sherry and brown sherry are modifications of the same wine, with a peculiar preparation of the latter. Sherry is, in England, subjected to great adulteration. *Claret*, in its varieties of Lafitte, Latour, Château-Margaux, Haut-Brion, &c., is chiefly the produce of the Bordelais. *Champagne*, so designated from its native province in France, is divided into two great classes, white and red; and each of these into still and sparkling: of the still wines, Sillery is considered the best; but, in England, the sparkling Champagne seems to be mostly preferred. *Burgundy*, white as well as red, also takes its name from its native province. Amongst an extensive variety of other excellent French wines may be mentioned Hermitage, Sauterne, St. Pery, &c. *Madeira*, so called from the island of that name, has undeservedly fallen into disrepute, and been in a great measure superseded in this country by sherry. *Malmsey* is a rich, luscious species of Madeira. *Teneriffe*, resembling Madeira, but lighter, and less richly flavoured, is the produce of the island from which it takes its name. At the head of the *German wines*, which are produced chiefly on the banks of the Rhine and of the Moselle, stand the *Johannisberger* and the *Steinberger*. *Tokay* is a rich, luscious, and scarce wine from Hungary; full in flavour and aroma. *Marsala*, from the town of that name in Sicily, where it is produced by two Englishmen, the Messrs. Woodhouse, is a light,

pure, inexpensive, and highly agreeable dinner wine, in considerable repute.

Wine, the produce of Europe, may not be imported for home consumption, except in British ships, or in ships of the country of which the wine is the produce, or of the country from which it is imported, on forfeiture thereof, and £100. by the master of the ship. Wine from the Cape must be accompanied by a certificate of its production. In warehouses of special security wines may be fined and racked as often as necessary, the lees (correctly ascertained as to quantity) to be destroyed without payment of duty. Bonded brandy may be allowed to be added to wine in the bonded stores for its preservation or improvement, and the whole to pay duty as wine upon being taken out for home consumption, provided the entire quantity of brandy contained in the wine, at the time of entry for home consumption, do not exceed twenty per cent.: and that a proper sample for the purpose of ascertaining the strength be allowed to be taken out by the officers. Wines may, while in bond, be mixed with wines of the same description, when necessary for improvement or preservation; provided that wines so mixed be kept separate from other wines, and that the packages containing the same be branded as "mixed wine," and the marks of the original shipper be defaced. Wine may be bottled for exportation (see *Warehousing*) upon giving twenty-four hours' notice; but not less than three dozen reputed quarts, or six dozen reputed pint bottles may be exported in each package; and if any surplus or sediment remain, it is to be destroyed in presence of the officer, or the full duties paid upon it.

The drawback of duties on wine allowed for officers in the royal navy (see page 95) in actual service, shall not exceed the quantities in any one year, as follows:—For every admiral, 1260 gallons; vice-admiral, 1050; rear-admiral, 840 gallons; captain of the first and second rate, 630; captain of the third, fourth, and fifth rate, 420; captain of an inferior rate, 210; lieutenant, and other

commanding officer, and every marine officer, 105 gallons.

By act 5 and 6 Will. 4, a permit is no longer necessary for the removal of wine; dealers in and retailers of wine not being dealers in or retailers of spirits, are exempted from the obligations to allow their premises and stocks to be surveyed by the officers of excise; and the commissioners of excise may grant licenses to sell wine in theatres, &c.

The argal, or crude tartar, which forms a deposit on the sides and bottoms of wine casks, is termed *Wine-stone*.

WITNESSES. Witnesses may be brought into a court of law by a writ of *subpæna*, which commands them, laying aside all pretences and excuses, to appear at the trial on pain of £100. to be forfeited to the crown, and £10 to the party aggrieved, and damages equivalent to the loss sustained by want of their evidence. But no witness unless his reasonable expenses be tendered him, is bound to appear at all; nor, if he appear, is he bound to give evidence till such charges are actually paid him; except he reside within the bills of mortality, and is summoned to give evidence within the same. All witnesses of whatsoever religion or country, who have the use of their reason, are to be received and examined, excepting such as are infamous, convicted felons, perjurors, &c., or such as may be interested in the event of the cause. Persons, however, convicted of any felony not punishable with death, or of any misdemeanour, except perjury, or subordination of perjury, and having endured the punishment which had been adjudged, are again competent to give evidence, the same as though they had received a pardon under the great seal. A Mahometan may be sworn upon the Koran, a Gentoo according to the custom of India, &c., and their evidence may be received even in criminal cases. But an atheist, or person who has no belief or notion of a God, or of a future state of rewards and punishments, cannot be admitted as a witness. In certain cases

the affirmation of Quakers (see *Quakers*) Moravians, Separatists, &c., may be received in lieu of an oath. If suspected to be secretly concerned in the event of a trial, witnesses may be examined upon a *voir dire*, or their interest may be proved in court; but no man is to be examined to prove his own infamy. Yet a witness may be examined with regard to his own infamy, if the confession of it do not subject him to any future punishment; as a witness may be asked if he has not been convicted of perjury. A witness may not refuse to answer a question relative to the matter in dispute, the answering of which has no tendency to accuse himself, or to expose him to penalty or forfeiture, by reason only that the answer to such question may establish, or tend to establish, that he was in debt, or is subject to a civil suit. No counsel, attorney, or other person, entrusted with the secrets of the cause by the party himself, can be compelled to give evidence of such conversation or matters of privacy as came to his knowledge by virtue of such trust and confidence; but he may be examined as to mere matters of fact, as the execution of a deed, or the like, which may have come to his knowledge without being interested in the cause. Such evidence as a juryman may happen to have in his own conscience, by his private knowledge of facts, has as much right to sway his judgment, as the written or parole evidence which is delivered in court; consequently, if a juror know any thing of the matter in issue, he may be sworn as a witness, and give his evidence publicly in court. If a witness, under cross-examination, find himself undeservedly brow-beaten by counsel, he should appeal to the court for its protection.

WOAD. A biennial plant, anciently cultivated to a great extent in England, as well as upon the continent. It is used by dyers (now mostly mixed with indigo) for obtaining a permanent though not brilliant blue colour.

Woof. The threads which weavers shoot across the warp, or longitudinal threads, with an instrument called the shuttle. *Woof* is the same as *weft*.—See *Warp*.

WOOL, WOOLLEN, &c. Wool is the natural covering of sheep and of some other animals. In many particulars it resembles hair. It differs, however, from hair, in the uniformity of its growth, and the regularity of its shedding. Every filament of wool springs up at once; the whole advances uniformly together: the whole loosens from the skin nearly at the same period, and falls, if not shorn, leaving the animal covered with a coat of young wool, which in its turn undergoes the same mutations. While the wool remains in the state as first shorn, it is called the "fleece." It is afterwards separated according to its degrees of fineness and general quality. The arts of spinning wool, and manufacturing the yarn into cloth, were introduced into this country by the Romans; and, nearly ever since, wool, either in a raw or manufactured state, has been the principal of the staple articles of the kingdom. The manufactory of broad cloths was established about the close of the twelfth or early in the thirteenth century. Wool is usually divided into two great classes: long and short, the former used principally for hose; the latter in the cloth manufacture. Amongst the best English short native fleeces are the fine Norfolk and Southdown. The Spanish or Merino breed of sheep was introduced into England about the close of the eighteenth century. Saxon wool is generally softer than Spanish. The Merino sheep succeed better in Saxony and some other German states, than in Spain itself. The sheep that were sent out from this country to Van Diemen's Land and New South Wales have also succeeded remarkably well; and there is reason to believe that Australia will become one of the principal wool-growing countries in the world. By act 5 Geo. 4, c. 17, § 2, all acts, and parts of acts, prohibiting the exportation of wool were repealed. And by act 4 and 5 Will. 4, c. 89, § 18, the exemptions from the export duty of 10s. per cent. allowed on woollen goods, or goods of wool and cotton, or wool and linen, exported to places within the limits of the East India Company's charter, was repealed.

WORSTED. So called from a little town in Norfolk.

where its manufacture originated,—though it was subsequently designated “the private commodity of the city of Norwich,”—is a thread, or yarn, spun of wool that has been combed, and which, in the spinning, is twisted harder than ordinary.

WORT. The infusion of malt, &c., before it is converted into beer by fermentation.

WRECK. In a general sense this word is understood to mean any ship, goods, or merchandise that may be driven ashore, or found floating at sea in an unprotected or unmanageable state. Legally, however, nothing is ‘wreck’ unless it have come to land.—(See *Derelicts*, *Flotsam*, &c.) Anciently, all wrecks were adjudged to belong to the crown. By a charter of Henry II., if any thing escaped alive from the ship, or if proof could be made of the property of any of the goods or lading which came to shore, they should not be forfeited as wreck. The charter of Henry further decreed, that the sheriff of the county should be bound to keep the goods a year and a day, that, if any man could prove a property in them in his own right, or in the right of representation, they should be restored to him without delay; but if no such property were proved within that time, then they should be the king’s. If the goods were of a perishable nature, then the sheriff might sell them, and the money should be liable in their stead. By act 27 Edward 3, c. 13, if a ship were lost, and the goods came to land, they were to be delivered to the merchants, on payment of only a reasonable reward or salvage (see *Salvage*) to those who saved or preserved them. By act 12 Anne, c. 18, confirmed by act 4 Geo. 1, c. 12, it was directed that all head officers and others of the towns near the sea, should upon application made to them, summon as many hands as might be necessary and send them to the relief of any ship in distress, on pain of the forfeiture of £100.; and in case of any assistance given, salvage was to be assessed by three justices of the peace, and paid by the owners. Persons secreting any goods cast ashore, were to forfeit thrice their value; and if they wilfully did any act, by which the

ship was lost or destroyed, they were adjudged guilty of felony, without benefit of clergy. The important act 26 Geo. 2, c. 19, bore the following preamble :— “Whereas, notwithstanding the good and salutary laws now in being against plundering and destroying vessels in distress, and against taking away shipwrecked, lost, or stranded goods, many wicked enormities have been committed, to the disgrace of the nation, and the grievous damage of merchants and mariners of our own and other countries, be it enacted,” &c. It was accordingly enacted, that the preventing of the escape of any person endeavouring to save his life, or wounding him with intent to destroy him, or putting out false lights in order to bring any vessel into danger, should be capital felony ; and that the pilfering of any goods cast ashore should be deemed petty larceny. By act 53 Geo. 3, c. 87, § 2, no lord or lady of any manor, who might be entitled, or claim to be entitled to wreck of the sea, should appropriate it to his or her use, until a report in writing should have been given to the deputy vice-admiral of the coast where the same should have been stranded, wrecked, or found ; or if there were no such deputy or agent resident within fifty miles, then to the corporation of the Trinity House of Deptford Strand, with full particulars of such wreck, &c. ; in order that such report or account might be placed in some conspicuous situation to be publicly inspected. By act 1 and 2 Geo. 4, c. 75, any person or persons wilfully cutting away, injuring, or concealing any buoy or buoy rope attached to any anchor or cable belonging to any ship, whether in distress or otherwise, was adjudged guilty of felony, and might, upon conviction, be transported for seven years. By act 7 and 8 Geo. 4, c. 19, § 18, it was enacted, that if any person should plunder or steal any part of any ship or vessel which should be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandise, or articles of any kind belonging to such ship or vessel, every such offender should suffer death : with a provision, however, that when articles of small value should be stranded or cast on shore, and

should be stolen without circumstances of cruelty, outrage, or violence, it should be lawful to prosecute and punish the offender as for simple larceny; and in either case the offender might be indicted and tried either in the county in which the offence should have been committed, or in any county next adjoining.

WRIT. The King's (or Queen's) precept in writing under seal, issuing out of some court to the sheriff, or other person, and commanding something to be done concerning a suit or action, or giving commission to have it done. In the courts of common law, the *Original Writ* is the first part of a suit or action for redress of wrong, &c. It proceeds from the Court of Chancery, and is directed to the Sheriff, requiring him to command the wrong-doer to do justice to the complainant, or otherwise to appear in court and answer the accusation against him. In proceedings in the nature of appeal, there are *writs of deceit*, which may be brought in the Court of Common Pleas, to reverse a judgment therein had by fraud or collusion in a real action; *writs of audita querela*, to discharge a defendant, upon some matter having arisen since judgment; and *writs of error*, which lie for some supposed mistake. A *writ of right* is the great and final remedy for him that is injured by *ouster*, or privation of his freehold. —According to act 3 Will. 4, c. 39, § 10, no writ from the superior courts of law shall be in force for more than four calendar months from the day of the date thereof, including the day of such date; but every writ of summons and *capias* may be continued by *alias* and *pluries*, as the case may require, if any defendant therein named may not have been duly served therewith.

YARD. An English linear measure of three feet or thirty-six inches.

YARN. Wool, cotton, or flax, spun into thread for the weaving of cloth, &c.

YEAST. A frothy substance of a brownish grey colour and bitter taste, which is formed on the surface of beer or wine while fermenting. It is used in bread, to leaven or make it light. Of late years many of the London

bakers have used a prepared or patent yeast, easily obtainable at all seasons of the year, for this purpose.

ZAFFAR, or ZAFFRE. The oxyde of cobalt, mixed with three times its weight of powdered flints. Forming the most solid and fixed of all the blue colours that can be employed in vitrification, it is extensively used in the manufacture of china, earthenware, &c., and for tinging crystal glasses made in imitation of precious stones.

ZINC, or SPELTER. A metal of a brilliant white colour, composed of a number of thin plates adhering together. It is malleable, but not to so great an extent as copper, lead, or tin. When rubbed for some time between the fingers, they become tinged with a black colour, acquire a peculiar taste, and also emit a metallic smell. "Zinc," observes Dr. Ure, "is extensively employed for making water-cisterns, baths, spouts, pipes, plates for the zincographer, for voltaic batteries, filings for fireworks, covering roofs, and a great many architectural purposes, especially in Berlin; because this metal, after it gets covered with a thin film of oxyde or carbonate, suffers no further change by long exposure to the weather. One capital objection to zinc as a roofing material, is its combustibility." As it takes a fine polish, zinc is often much used for shop door plates, &c., in lieu of brass. It is used in medicine; and, of late years, *chloride of zinc* has been regarded as a valuable escharotic for the removal of cancerous tumours, the healing of old ulcers, &c. In amalgamating with copper and other metals, zinc is of great utility (see *Brass*). In England it is found in Flintshire and the Isle of Man. It is also produced in different parts of Germany, in China, &c. There are zinc works in the neighbourhood of Birmingham.

* * * In the parliamentary session of 1839-40 (3 and 4 Victoria) the sum of £5. per cent. was added to the amount of duty on all exciseable articles.

THE END.

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